

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF December 21, 2007

(Published December 29, 2007, in *Finance and Commerce*)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

December 21, 2007 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, President Johnson.

Lilligren moved adoption of the agenda. Seconded.

Schiff moved to amend the agenda to include under New Business a motion to introduce the subject matter of ordinances amending Chapter 13, Section 1 of the Minneapolis City Charter relating to *City Planning Department — Commissioner and Membership*. Seconded.

Adopted upon a voice vote.

The agenda, as amended, was adopted upon a voice vote 12/21/2007.

Lilligren moved acceptance of the minutes of the regular meeting of December 7, 2007 and the adjourned sessions held December 11 and December 12, 2007. Seconded.

Adopted upon a voice vote 12/21/2007.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 12/21/2007.

### PETITIONS AND COMMUNICATIONS

#### **COMMITTEE OF THE WHOLE and WAYS & MEANS/BUDGET and ZONING & PLANNING (See Rep):**

ATTORNEY (272470)

T-Mobile USA v. City of Minneapolis: Legal settlement.

#### **COMMUNITY DEVELOPMENT:**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272471)

2007 HUD Consolidated Plan: Amendment of Plan to reallocate funds to Foreclosure Prevention Program.

St. Anthony Municipal Parking Ramp: Expanding permitted uses in Development Commitment obligation in draft purchase agreement; extending deadline for purchase agreement.

**COMMUNITY DEVELOPMENT (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272472)

Land Sales:

508 Morgan Ave N;

2638 Colfax, 2127 Queen & 1818 - 26th Aves N;

1813-6th St S.

Minnesota Housing Finance Agency: Authorizing application for funds to support home improvement loan programs.

Classification of Tax Forfeited Land: Authorizing conveyance of properties.

Heritage Park-Phases 1 & 2: Revised Fourth Amendment to Redevelopment Contract.

**COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272473)

900 Hennepin Avenue Leveraged Investment Fund: Restructure of loan.

Great Streets Business District Support Contracts: Recommendations for award funding to support business district support activities.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (272474)

Cedar Riverside NRP Phase I Neighborhood Action Plan.

Tangletown NRP Phase II Neighborhood Action Plan.

Cleveland NRP Phase I Neighborhood Action Plan.

**HEALTH, ENERGY AND ENVIRONMENT:**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272475)

Dislocated Municipal Parking Ramp Workers: Report.

HEALTH AND FAMILY SUPPORT SERVICES (272477)

Lead Prevention: Report by Minneapolis/Hennepin County.

HEALTH AND FAMILY SUPPORT SERVICES (272477.1)

Safe Routes to School: Report.

**HEALTH, ENERGY AND ENVIRONMENT (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272476)

Minnesota State Colleges and Universities: Execute Letter of Cooperation between Minneapolis Department of Community Planning and Economic Development and Winona State University HealthForce Minnesota to provide City office space and support resources to HealthForce.

HEALTH AND FAMILY SUPPORT SERVICES (272478)

Public Health Advisory Committee: Approve appointments/reappointments.

Laboratory Director and Clinical Consultation Services: Execute contract with State of Minnesota during calendar years 2008 and 2009.

School Based Clinic Program: Execute two agreements with Special School District #1 for program services through December 31, 2018; and lease of space at six schools.

Community Health Assessment and Action Planning: Authorize submit first of six required action plans as part of Community Health Assessment and Action Plans to Minnesota Department of Health.

MAYOR (272478.1)

Commissioner of Health: Concur with Mayor's nomination to reappoint Gretchen Musicant for two-year term beginning January 2, 2008.

Director of Civil Rights: Concur with Mayor's nomination to reappoint Michael Jordan for two-year term beginning January 2, 2008.

**HEALTH, ENERGY AND ENVIRONMENT and PUBLIC SAFETY AND REGULATORY SERVICES**

**(See Rep):**

HEALTH AND FAMILY SUPPORT SERVICES (272479)

Child Care Loan Renovation Program: Ordinance amending the designation from the Greater Minneapolis Day Care Association to the Department of Health & Family Support for loans to eligible child care providers.

**HEALTH, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):**

CIVIL RIGHTS (272479.1)

Civil Rights Disparity Study: Execute agreement with National Economic Research Association Inc to perform study; and Approve roll over of \$425,000 from 2007 to 2008 Civil Rights budget.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272480)

Minnesota Family Investment Program: Execute contract with Hennepin County for operation of MFIP and to receive \$490,878 during calendar year 2008.

HEALTH AND FAMILY SUPPORT SERVICES (272481)

Public Health Mutual Aid: Amend Mutual Aid Agreement between eleven metropolitan regional jurisdictions by adding responses for environmental health services.

Controlling Asthma in American Cities Project: Accept \$12,000 from American Lung Association of Minnesota to provide standardized care in management of asthma in School Based Clinics; and Approve appropriation.

School Based Clinic Program: Accept grant of \$25,000 from Medtronic Foundation for services to pregnant and parenting adolescents at Broadway Arts and Technology School; and Approve appropriation.

**INTERGOVERNMENTAL RELATIONS:**

ATTORNEY (272482)

Ethics Officer Report re Lobbying contracts for 2008.

INTERGOVERNMENTAL RELATIONS (272483)

Mpls Federal Update 12/18/2007.

**INTERGOVERNMENTAL RELATIONS (See Rep):**

INTERGOVERNMENTAL RELATIONS (272484)

2008 Legislative Session: City's agenda.

**PUBLIC SAFETY AND REGULATORY SERVICES:**

LICENSES AND CONSUMER SERVICES (272485)

Market Express (3159 Chicago Av): Request to revoke Grocery, Tobacco Dealer and 3.2% Off-Sale Beer License.

POLICE DEPARTMENT (272486)

Police Diversity: Update report.

**PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):**

ATTORNEY (272487)

Venus Grocery (3751 Portland Av): Request for stay during appeal of City Council decision to revoke Tobacco Dealer's License, subject to conditions.

LICENSES AND CONSUMER SERVICES (272488)

Columbia Grounds (3301 Central Av NE): Grant On-Sale Wine Class D with Strong Beer License, with conditions.

Top Diner (4330 Lyndale Av N): Revoke Catering License.

LICENSES AND CONSUMER SERVICES (272489)

Licenses: Applications.

MAYOR (272489.1)

Fire Chief: Concur with Mayor's nomination to reappoint James Clack for two-year term beginning January 2, 2008.

REGULATORY SERVICES (272489.2)

Property at 2012 29th Av: Authorize demolish property.

Property at 3021 Park Av: Authorize demolish property.

Rental Dwelling License at 1060 23rd Av SE: Revoke license held by Davood Raboodan.

REGULATORY SERVICES (272490)

Solid and Hazardous Waste: Ordinances regulating solid and hazardous waste storage; and Approve proposed fees to be included in Directors Fee Schedule and the License and Annual Billing Fees Schedule.

**PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):**

POLICE DEPARTMENT (272491)

Federal Bureau of Alcohol, Tobacco and Firearms: Amend agreement with ATF to accept additional \$125,554 for reimbursement of officer overtime when assisting ATF; and approve appropriation.

**TRANSPORTATION AND PUBLIC WORKS:**

PUBLIC WORKS AND ENGINEERING (272492)

Gang Graffiti Victim Relief and Abatement: Timeline.

Mn/DOT Metro District Downtown Minneapolis Freeway Study: Final Report.

XCEL ENERGY (272493)

Utility Pole Installations: a) Northeast corner of 25th Av & 7th St S; b) 1026 & 1121 5th St SE; and c) Lowry Av Beautification Project.

**TRANSPORTATION AND PUBLIC WORKS (See Rep):**

PUBLIC WORKS AND ENGINEERING (272494)

Construction Management Consulting Services: Increase contract with George Konik Associates, Inc.

American Iron and Steel: Storm drain easement and Memorandum of Agreement for storm drain replacement.

**TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):**

PUBLIC WORKS AND ENGINEERING (272495)

Lowry Av N Phase II Reconstruction Project: Adopt assessments; Comments.

Midtown Greenway Bicycle Station: a) Accept funds; b) Appropriate funds; c) Agreement with Allina Health Systems; d) Accept OP #6818, low bid of Frerichs Construction Company; and e) Agreement with Mn/DOT.

Marquette Av and 2nd Av Transit Project: Subrecipient application and RFP for project.

Bids: a) OP 6866, Custom Products and Services, for snow removal in Dinkytown Special Service District; and b) OP 6867, Custom Products and Services, for snow removal in Stadium Village Special Service District.

**WAYS AND MEANS BUDGET:**

CITY CLERK (272496)

December 2007 Budget Status Report.

FINANCE DEPARTMENT (272497)  
2007 Financial Status Report: 3rd Quarter.  
FIRE DEPARTMENT (272498)  
December 2007 Budget Status Report.  
POLICE DEPARTMENT (272499)  
December 2007 Budget Status Report.  
PUBLIC WORKS AND ENGINEERING (272500)  
Water Works December 2007 Budget Status Report.

**WAYS AND MEANS BUDGET (See Rep):**

ATTORNEY (272501)  
Ethics Officer Report: Findings.  
Minneflex Plan: Amendment to incorporate legislative changes.  
BUSINESS INFORMATION SERVICES (BIS) (272502)  
Unisys: Renegotiated contract for Technology Operations Managed Services.  
Outgoing Broadcast Messaging Systems: Contract with SwiftReach Networks, Inc.  
Financial System Training: Amend contract C-24063 with Mythics, Inc. for Oracle University training.  
Port security cameras along the Mississippi River Corridor: Issuance of RFP.  
CITY CLERK (272503)  
Donation from Meet Minneapolis: Reimbursement to Ward 7.  
FINANCE DEPARTMENT and CITY ATTORNEY (272504)  
Minneapolis and Hennepin County Library Systems: Financing and Grant Agreement; and approving implementation actions for the consolidation.

**ZONING AND PLANNING:**

PLANNING COMMISSION/DEPARTMENT (272505)  
Creekside Commons (5400, 5404 & 5412 Stevens Ave S): Appeal of approval of conditional use permit, variances, & site plan; & approval of rezoning .  
Metro Check Cashing (2211 Lowry Ave N): Approval of rezoning.  
Megusta Place (1501-1507 E Lake St & 3013-3021 15th Ave S): Approval of rezoning & removal of TP Overlay District.

**ZONING AND PLANNING (See Rep):**

INSPECTIONS/BOARD OF ADJUSTMENT (272506)  
Peace House Community (2501-5th Ave S): Appeal of denial of variances.

*The following reports were signed by Mayor Rybak on December 27, 2007, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.*

**REPORTS OF STANDING COMMITTEES**

**The COMMITTEE OF THE WHOLE submitted the following report:**

Lilligren moved to suspend City Council Rule 4 requiring a Committee of the Whole recommendation to be presented to the Council at its meeting in the next Council cycle so as to consider the legal matter of T-Mobile USA v. City of Minneapolis. Seconded.

Adopted upon a voice vote.

**Comm of the Whole** - Your Committee recommends authorizing the settlement of a legal matter, T-Mobile USA v. City of Minneapolis, as recommended by the City Attorney by payment of \$50,000, payable to T-Mobile USA and Larkin Hoffman Daly & Lindgren Ltd; payable from the Self Insurance Fund (6900-150-1500-4000).

Your Committee further recommends authorizing the City Attorney's Office to execute any documents necessary to effectuate the above settlement.  
Adopted 12/21/2007.

**The COMMUNITY DEVELOPMENT Committee submitted the following reports:**

**Comm Dev** - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Mike D. Christenson to serve as the Director of the Department of Community Planning and Economic Development and Executive Director of the Minneapolis Community Development Agency, for a two-year term beginning January 2, 2008, and having held a public hearing thereon, now recommends approval of said appointment.  
Adopted 12/21/2007.

**Comm Dev** - Your Committee, having under consideration an amendment to the Department of Housing & Urban Development (HUD) 2007 Consolidated Plan to reallocate \$95,300 in Community Development Block Grant program capital from Year 28 Rehab Loans (28RI) to a public service activity, the Foreclosure Prevention Program, and having held a public hearing thereon, now recommends approval of said amendment.  
Adopted 12/21/2007.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 508 Morgan Ave N to The Greater Metropolitan Housing Corporation for \$13,700, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Your Committee further recommends approval of the addition of 508 Morgan Ave N to the Century Homes Program.  
Adopted 12/21/2007.

Resolution 2007R-653, authorizing sale of land GMHC Century Homes Program, Disposition Parcel No. GC-288 at 508 Morgan Ave N, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-653  
By Goodman**

**Authorizing sale of land GMHC Century Homes Program, Disposition Parcel No. GC-288 at 508 Morgan Ave N.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel GC-288, in the Harrison neighborhood, from The Greater Metropolitan Housing Corporation, hereinafter known as the Redeveloper, the Parcel GC-288, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of GC-288; 508 Morgan Avenue North: Lot 20, Block 5, Maben, White and Le Bron's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$13,700, for GC-288 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

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Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on November 30, 2007, a public hearing on the proposed sale was duly held on December 11, 2007, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the GMHC Century Homes Program plan, as amended, is hereby estimated to be the sum of \$13,700 for Parcel GC-288.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 12/21/2007.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing the sale of properties at 2638 Colfax Ave N, 2127 Queen Ave N and 1818 - 26th Ave N to a qualified Home Ownership Works (HOW) Program purchaser for the fair market value of \$162,000, \$145,000 and \$160,000 respectively, subject to the following conditions:

- a) Land sale closing must occur on or before 60 days from date of offer acceptance; and
- b) Payment of holding costs of \$150 per month from the date of offer acceptance to the date of closing if land sale closing does not occur on or before 60 days from date of offer acceptance.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Your Committee further recommends approval of a second mortgage affordability loan in accordance with the HOW Program guidelines of not more than \$30,000 for all eligible households.

Adopted 12/21/2007.

Resolution 2007R-654, authorizing sale of land Homeownership Works Program, Disposition Parcel No HOME 62, HOME 58 and HOME 77 (2638 Colfax, 2127 Queen and 1818 - 26th Aves N), was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-654**

**By Goodman**

**Authorizing sale of land Homeownership Works Program, Disposition Parcel No HOME 62, HOME 58 and HOME 77 (2638 Colfax, 2127 Queen and 1818 - 26th Aves N).**

Whereas, the City of Minneapolis, hereinafter known as the City, has adopted Home Ownership Works Program Guidelines pursuant to which the City purchases residential properties that are renovated or upon which a new home is constructed which is then offered for sale to target buyers under the program; and

Whereas, the City has acquired Parcel HOME 62, HOME 58 and HOME 77, in the HOW/HOME Program upon which the existing home was renovated or a new home was constructed, the Parcel HOME 62, HOME 58 and HOME 77, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

**LEGAL DESCRIPTIONS:**

HOME 62; 2638 Colfax Av N - Lot 10, Block 11, Fairmount Park Addition to Minneapolis;  
HOME 58; 2127 Queen Av N - Lot 8, Block 6, Wyant and Kuchli's Addition to Minneapolis;  
HOME 77; 1818 26th Av N - The West 40 feet front and rear of the East 1/2 of the West 2/3 of Lots 8 and 9, Block 2, On The Heights, an Addition to Minneapolis; and

Whereas, the City has had the fair market value reviewed by an appraisal expert, stating that the fair market value opinion is consistent with accepted methods in aiding the City in determining market value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on November 30, 2007, a public hearing on the proposed sale was duly held on December 11, 2007 at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the fair market value in accordance with the City's Homeownership Works Program, as amended, is hereby estimated to be the sum of \$162,000 for Parcel HOME 62, \$145,000 for Parcel HOME 58 and \$160,000 for Parcel HOME 77.

Be It Further Resolved that the sale of the parcel pursuant to the Home Ownership Works Program is hereby determined to be in accordance with the City's approved Department of Community Planning & Economic Development (CPED) disposition policy.

Be It Further Resolved that the sale of the parcel is hereby approved, subject to the execution of a contract for the sale of land consistent with the Home Ownership Works Program Guidelines and further subject to the following conditions; 1) land sale closing must occur on or before 60 days from the date of offer acceptance and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 60 days from the date of offer acceptance.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a contract to a qualified Purchaser; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to a qualified Purchaser in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Adopted 12/21/2007.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing sale of property at 1813 - 6th St S to West Bank School of Music for \$25,000, subject to the amended terms of the action of the Minneapolis Community Development Agency Board of Commissioners authorizing the sale of said property of 9/27/2002, as set forth in the Department of Community Planning & Economic Development staff report.

Adopted 12/21/2007.

Resolution 2007R-655, authorizing sale of land Cedar Riverside Disposition Parcel No CR 49-6 at 1813 - 6th St S with revised terms of sale, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-655**  
**By Goodman**

**Authorizing sale of land Cedar Riverside Disposition Parcel No CR 49-6 at 1813 - 6th St S.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel CR 49-6 in the Cedar Riverside, from West Bank School of Music, hereinafter known as the Redeveloper, the Parcel(s) CR 49-6, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of CR 49-6; 1813 6th Street South: The West one-half of Lot 3, Block 188, Town of Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$25,000, for Parcel CR 49-6; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, November 30, 2007, a public hearing on the proposed sale was duly held on December 11, 2007, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value, for uses in accordance with the Cedar Riverside plan, as amended, is hereby estimated to be the sum of \$135,000, for Parcel CR 49-6.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Adopted 12/21/2007.

**Comm Dev** - Your Committee recommends that the proper City officers be authorized to apply for up to \$500,000 through the Minnesota Housing Finance Agency's Single Family Request for Proposal process to provide additional funding to support the Department of Community Planning & Economic Development home improvement loan programs.

Adopted 12/21/2007.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution approving the classification of certain forfeited land in the City of Minneapolis as non-conservation and the conveyance thereof; placing the parcel at 1807 W Broadway on hold for six months for the Department of Community Planning & Economic Development; and authorizing the City to file an application for title registration, pursuant to Minnesota Statutes 508.03(6).

Adopted 12/21/2007.

Resolution 2007R-656, approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof, and placing the parcel at 1807 W Broadway on hold for six months for the Department of Community Planning & Economic Development, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-656  
By Goodman**

**Approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof.**

Whereas, the City Council of the City of Minneapolis, Hennepin County, Minnesota, has been advised by the County of Hennepin, Minnesota, that certain parcels of land in said City have become the property of the State of Minnesota under the provision of law declaring the forfeiture of lands to the State for nonpayment of taxes;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the parcel listed below be designated as non-conservation land, and that all the property listed below be withheld from sale for six months:

| <u>PID Number</u> | <u>Address</u><br><u>Target</u><br><u>Lot Size</u> | <u>Ward</u> | <u>Date Of</u><br><u>Forfeit</u> | <u>Zoning</u><br><u>Current Use</u> | <u>Legal Description</u>                                |
|-------------------|--|-------------|----------------------------------|-------------------------------------|---|
| 16-029-24-23-0189 | 1807 W. Broadway                                   | 5           | 7/20/07                          | C1                                  | EX STREET LOT<br>001, BLOCK 027,<br>"FOREST<br>HEIGHTS" |
|                   | YES<br>131X49X126X100=<br>9172 sq. ft.             |             |                                  | Cml Land                            |   |

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Be It Further Resolved that the parcels listed below be designated as non-conservation land, and that all the property listed below be released for public auction:

| <u>PID Number</u> | <u>Ward</u> | <u>Address</u>                                | <u>Date Of Forfeit</u> | <u>Legal Description</u>  |
|-------------------|-------------|---|------------------------|---|
| 35-029-24-33-0095 | 6           | 2934 Columbus Av.<br><b>REPURCHASED</b>       | 7/20/07                | LOT 10, BLOCK 1 MONROE AND HOLWAY'S SUBDIVISION OF LOT 16 EMERSON'S ADDITION TO MINNEAPOLIS |
| 10-029-24-23-0041 | 3           | 3326 Lyndale Av. N.                           | 8/9/07                 | LOT 8, BLOCK 8 "BAKER'S 4TH ADDITION TO MINNEAPOLIS"  |
| 16-029-24-32-0100 | 5           | 1834 Penn Av. N.<br><b>REPURCHASED</b>        | 8/23/07                | LOT 39, BLOCK 1 "WILLARD PARK ADDITION TO MINNEAPOLIS"                                      |
| 27-029-24-33-0813 | 6           | 522 Ridgewood Ave.<br><b>CONDO</b>            | 9/6/07                 | UNIT NO. 12 CIC NO. 1392 HISTORIC RIDGEWOOD CONDOMINIUM                                     |
| 17-029-24-41-0005 | 5           | 2221 Golden Valley Rd..<br><b>REPURCHASED</b> | 9/7/07                 | LOTS 6 AND 7, BLOCK 1 EASTLAWN ADDITION TO MINNEAPOLIS                                      |

Be It Further Resolved that the City is authorized to file an application for title registration on the tax forfeited properties listed in this resolution for acquisition by the City of Minneapolis signed by the Mayor and the City Clerk pursuant to Minnesota Statutes 508.03(6).

Adopted 12/21/2007.

**Comm Dev** - Your Committee, having under consideration the Heritage Park Project and the Community Planning & Economic Development staff recommendation to approve a Revised Fourth Amendment to the Heritage Park Redevelopment Contract, Phases 1 and 2, with Heritage Housing, LLC, relating to the shifting of development of multi-family units to single-family units and a revised plat, as outlined in the staff report, now recommends that the proper City officers be authorized to execute said amendment.

Adopted 12/21/2007.

**Comm Dev** - Your Committee, having under consideration the City's pending sale of the St. Anthony Municipal Ramp (210 - 2nd Ave SE) to St Anthony Ramp LLC, now recommends:

a) Expanding the permitted uses in the Development Commitment obligation in the draft purchase agreement to include additional flexibility for pursuing office development as an alternative or supplement to the buyers' original proposal for residential and street-level retail, in the event that the original proposal proves to be infeasible; and

b) Extending the deadline for executing the purchase agreement with St. Anthony Ramp LLC to January 31, 2008, with closing to occur no later than February 28, 2008.

Adopted 12/21/2007.

**The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:**

**Comm Dev & W&M/Budget** - Your Committee recommends approval of the proposed restructure of the two Leveraged Investment Fund loans at 900 Hennepin Ave and consolidated into one loan, as specifically set forth in the Department of Community Planning & Economic Development staff report.

Adopted 12/21/2007.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the Cedar Riverside Neighborhood Revitalization Program (NRP) Phase I Neighborhood Action Plan, now recommends:

- a) Approval of said Action Plan and specifically those parts of the Plan that fall under City jurisdiction;
- b) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation in Fund CNR0 by \$725,026 for implementation of said Plan;
- c) Referral of \$483,351 for Plan implementation in a reserve account within Fund CNR0 for future year expenditures on the approved Plan;
- d) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 12/21/2007.

**RESOLUTION 2007R-657  
By Goodman and Ostrow**

**Amending The 2008 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended by increasing the appropriation for the Community Planning and Economic Development Agency in the NRP Program Fund (CNR0-890-3550) by \$725,026.

Adopted 12/21/2007.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the Tangletown Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan, now recommends:

- a) Approval of said Action Plan and specifically those parts of the Plan that fall under City jurisdiction, in an amount not to exceed \$336,708;
- b) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$168,398 in the NRP fund for implementation of said Plan;
- c) Referral of \$168,310 for Plan implementation in a reserve account within Fund CNR0 for future year expenditures on the approved Plan, provided that no more than 70% of the amount approved for the Plan (\$235,696) be obligated in the first three years after approval of the Plan; and
- d) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 12/21/2007.

**RESOLUTION 2007R-658  
By Goodman and Ostrow**

**Amending The 2008 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the NRP Program Fund (CNR0-890-3550) by \$168,398.

Adopted 12/21/2007.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the Cleveland Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan, now recommends:

- a) Approval of said Action Plan and specifically those parts of the Plan that fall under City jurisdiction, with the total cost of the Plan not to exceed \$448,446;

b) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$217,600 in the NRP fund for implementation of said Plan;

c) Referral of \$222,446 for Plan implementation in a reserve account within Fund CNR0 for future year expenditures on the approved Plan, provided that no more than 70% of the amount approved for the Plan (\$313,896) be obligated in the first three years after approval of the Plan; and

d) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 12/21/2007.

**RESOLUTION 2007R-659**  
**By Goodman and Ostrow**

**Amending The 2008 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the NRP Program Fund (CNR0-890-3550) by \$217,600.

Adopted 12/21/2007.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration awards funding resulting from a Request for Proposals process for the Great Streets neighborhood business district program, now recommends that the proper City officers be authorized to negotiate contracts for business district support activities as follows, as specifically set forth in the Department of Community Planning & Economic Development staff report:

- a) Northside Economic Opportunity Network – W Broadway - \$20,000
  - b) African Development Center – Cedar Riverside - \$30,000
  - c) Peace Foundation – W Broadway - \$7,500
  - d) Cedar Riverside Business Association – Cedar Riverside - \$30,000
  - e) Women Venture – W Broadway - \$22,000
  - f) Lake Street Council – E Lake St - \$23,500
  - g) NECDC/Audubon/NECoC – Central Ave, 29th and Johnson - \$20,000
  - h) Stevens Square – Nicollet Ave - \$20,000
  - i) Seward Neighborhood Group/Seward Redesign – Franklin Ave, Franklin LRT - \$30,000
  - j) Victory Neighborhood Association – 44th and Penn Ave - \$20,000
  - k) Latino Economic Development Corporation – E Lake St - \$25,000
- Adopted.

Goodman moved to reconsider the vote on the above report. Seconded.  
Adopted upon a voice vote.

The report was adopted 12/21/2007.  
Declining to vote - Samuels.

**The HEALTH, ENERGY & ENVIRONMENT Committee submitted the following reports:**

**HE&E** - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Gretchen Musicant to serve as the Commissioner of Health for the Department of Health & Family Support, for a two-year term beginning January 2, 2008, and having held a public hearing thereon, now recommends approval of said appointment.

Adopted 12/21/2007.

**HE&E** - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Michael Jordan to serve as the Director of Civil Rights, for a two-year term beginning January 2, 2008, and having held a public hearing thereon, now recommends approval of said appointment.

Adopted 12/21/2007. Yeas, 11; Nays, 1 as follows:

Yeas – Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Benson, Goodman, Hodges, Johnson.

Nays – Glidden.

Declining to vote – Remington.

**HE&E** - Your Committee recommends concurrence with the recommendation of the City Council to approve the following appointments and reappointments to the Public Health Advisory Committee for two-year terms to expire December 31, 2009:

*Appointments*

Sharon Washington, Ward 8 (replacing Gerry Sell)

*Reappointments*

Paul Zerby, Ward 1

Rachel Mahon Bosman, Ward 3

Scott Morris, Ward 10

Karen Pratt, Ward 11.

Your Committee further recommends concurrence with the appointment of Renee Gust, Ward 7 (work), by Hennepin County (replacing Gayle Geber), and Sarah Reuben, Ward 3 (work) by Minneapolis Public Schools (replacing Carmen Tesky).

Adopted 12/21/2007.

**HE&E** - Your Committee recommends that the proper City officers be authorized to execute a contract with the State of Minnesota, through its Department of Health, in an approximate amount of \$2,000, to provide laboratory director and consulting services to the City during the period January 1, 2008 through December 31, 2009.

Adopted 12/21/2007.

**HE&E** - Your Committee, having under consideration the School Based Clinic Program, now recommends that the proper City officers be authorized to execute the following agreements with Special School District #1:

a. a Community Partnership Agreement to ensure the safety of students and quality of services provided, effective January 1, 2008 through December 31, 2018.

b. a Lease Agreement for use of Minneapolis Public Schools' space at six schools, at no cost through 2018, with the value of the space for School Based Clinic services deemed to be valued at approximately \$745,000.

Adopted 12/21/2007.

**HE&E** - Your Committee recommends that the proper City officers be authorized to execute a Letter of Cooperation between the Minneapolis Department of Community Planning and Economic Development and Winona State University HealthForce Minnesota to provide City office space and support resources to HealthForce Minnesota. Further, that staff be directed to report back to the Committee in June 2008.

Adopted 12/21/2007.

**HE&E** - Your Committee recommends that the proper City officers be authorized to submit to the Minnesota Department of Health the first of six required action plans as part of the Community Health Assessment and Action Plans process for local public health agencies, as required by State Statute.

Adopted 12/21/2007.

December 21, 2007

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**The HEALTH, ENERGY & ENVIRONMENT and PUBLIC SAFETY & REGULATORY SERVICES Committees submitted the following report:**

**HE&E & PS&RS** - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 268 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Lawful Gambling*, changing the 25 percent dedication from the Greater Minneapolis Day Care Association to the Department of Health & Family Support for loans to eligible child care providers under the Child Care Loan Renovation Program for all current and future revenues, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 12/21/2007.

Ordinance 2007-Or-096 amending Title 13, Chapter 268 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Lawful Gambling*, amending Section 268.120 to change the 25 percent dedication from the Greater Minneapolis Day Care Association to the Department of Health & Family Support for loans to eligible child care providers under the Child Care Loan Renovation Program for all current and future revenues, was adopted 12/21/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2007-Or-096**  
**By Benson**  
**Intro & 1st Reading: 12/7/2007**  
**Ref to: HE&E & PS&RS**  
**2nd Reading: 12/21/2007**

**Amending Title 13, Chapter 268 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Lawful Gambling.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 268.120 (e) of the above-entitled ordinance be amended to read as follows:

**268.120. Minneapolis Family Fund established.**

(e) Disbursement of funds. Proceeds in the fund shall be disbursed in the following manner:

- (1) Twenty-five (25) per cent to the ~~Greater Minneapolis Day Care Association for day care needs within the City of Minneapolis;~~ Department of Health & Family Support for ongoing for support of the child care loan renovation program;
- (2) Twenty-five (25) per cent to the Minneapolis Community Clinics for health care needs among family members of all ages within the City of Minneapolis;
- (3) Twenty-five (25) per cent to Parents In Community Action (Head Start) for early childhood education needs within the City of Minneapolis;
- (4) Twenty-five (25) per cent to discretionary distributions which further the mission and purpose of the Minneapolis Family Fund as described in the statement in subsection 268.120(b). These distributions shall be allocated by the city council at the time the CDBG budget is adopted annually. Organizations licensed to conduct lawful gambling in the City of Minneapolis shall be eligible. The director of neighborhood services shall issue a request for proposals for the distribution of these funds, based upon the mission statement in subsection 268.120(b). Upon receipt of all proposals, the director of neighborhood services shall recommend one (1) or more organizations to receive distributions. In making recommendations, the director shall consider the services provided by other Minneapolis Family Fund recipients, to ensure that all areas of the city benefit from the fund. Services to elderly residents shall be considered eligible.

Adopted 12/21/2007.

**The HEALTH, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:**

**HE&E & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to amend the Public Health Mutual Aid Agreement between eleven metropolitan regional jurisdictions for response in public health emergencies through December 31, 2011 by including environmental health services, which will make personnel, equipment and other resources available to assist as needed in the event of an emergency, training, drill or exercise.

Adopted 12/21/2007.

**HE&E & W&M/Budget** - Your Committee, having under consideration the Controlling Asthma in American Cities Project in the School Based Clinics, now recommends that the proper City officers be authorized to accept a grant of \$12,000 from the American Lung Association of Minnesota to provide high quality standardized care in the management of asthma. Further, passage of the accompanying resolution appropriating \$12,000 to the Department of Health & Family Support.

Adopted 12/21/2007.

**RESOLUTION 2007R-660  
By Benson and Ostrow**

**Amending The 2007 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Health & Family Support Agency in the Grants - Other Fund (060-860-8622) by \$12,000 and increasing the revenue source (060-860-8622 - Source 3720) by \$12,000.

Adopted 12/21/2007.

**HE&E & W&M/Budget** - Your Committee, having under consideration the School Based Clinic Program, now recommends that the proper City officers be authorized to accept a grant of \$25,000 from the Medtronic Foundation to support the provision of services to pregnant and parenting adolescents at the Broadway Arts and Technology School. Further, passage of the accompanying resolution appropriating \$25,000 to the Department of Health & Family Support.

Adopted 12/21/2007.

**RESOLUTION 2007R-661  
By Benson and Ostrow**

**Amending The 2007 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Health & Family Support Agency in the Grants - Other Fund (060-860-8622) by \$25,000 and increasing the Revenue Source (060-860-8622 - Source 3720) by \$25,000.

Adopted 12/21/2007.

**HE&E & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute a contract with Hennepin County (HC# A052146, Amendment No 2) for the operation of the Minnesota Family Investment Program, and to receive \$490,878 for the period January 1, 2008 to December 31, 2008.

Adopted 12/21/2007.

**HE&E & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute an agreement with National Economic Research Association Inc to perform a disparity study for the City of Minneapolis. Further, approval to roll over \$425,000 from the 2007 Civil Rights Department budget to the 2008 budget.

Adopted 12/21/2007.

**The INTERGOVERNMENTAL RELATIONS Committee submitted the following report:**

**IGR** - Your Committee recommends approval of the City's agenda for the Year 2008 Legislative Session, which describes City priorities relating to local government finance, capital bonding, public safety, pension sustainability, transportation, affordable housing, municipal governance, City livability, the environment, and jobs and economic development, as set forth in Petn No 272484.

Goodman moved to amend the 2008 Legislative Agenda referred to in Petn No 272484 by adding to the Municipal Governance Section, as a support item, a new bullet point to read as follows:

"Legislation that would permit qualifying animal welfare organizations to provide subsidized spay and neuter services to animals belonging to low income persons. A qualifying organization is one that is a 501(c)3 organization, as defined by the federal tax code. In addition, the organization would need to meet or exceed minimum practice standards, employ a licensed veterinarian, register with the Board of Veterinary Medicine, file an annual financial statement, and guarantee veterinarians have exclusive authority over medical decisions." Seconded.

Adopted upon a voice vote.

The report was adopted 12/21/2007.

**The PUBLIC SAFETY & REGULATORY SERVICES Committee submitted the following reports:**

**PS&RS** - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of James Clack to serve as the Fire Chief for a two-year term beginning January 2, 2008, and having held a public hearing thereon, now recommends approval of said appointment.

Adopted 12/21/2007.

**PS&RS** - Your Committee, to whom was referred ordinances amending Title 3 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection*, regulating solid and hazardous waste storage, now recommends that the following ordinances be given their second reading for amendment and passage:

a. Amending Chapter 46 relating to *Minneapolis Solid and Hazardous Waste*, requiring that all new facilities that generate, store, handle and dispose of hazardous waste must submit an application with plans and permit fees before the activity can occur; requiring that all existing facilities submit a permit application with site plans by December 31, 2010; prohibiting the storage of automotive fluids without proper protection; and requiring all new and used motor vehicle filters and parts to be stored inside a building.

b. Amending Chapter 48 relating to *Minneapolis Watershed Management Authority*, removing the requirement that facilities obtain, for submittal, information owned by the City of Minneapolis (Sewer maps and utility connections); clarifying information to be submitted on site map to identify site areas where chemicals are stored, site topography, site drainage and site drains; eliminating the table of extremely hazardous substances by adopting the Code of Federal Regulations where the information is obtained from; eliminating the annual registration fee exemption for government bodies to allow for cost recovery for plan review and inspections.

c. Repealing Chapter 53 relating to *Lubricating and Motor Oils Recycling*.

Your Committee further recommends that the following license fees be approved, and that the Directors Fee Schedule and the License and Annual Billing Fees Schedule be updated, as follows:

Establish a permit fee of \$250 for new hazardous waste generating facilities.

Update the annual registration fee from \$50 to \$250 for hazardous waste generators.

Adopted 12/21/2007.

Ordinance 2007-Or-097 amending Title 3, Chapter 46 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection: Minneapolis Solid and Hazardous Waste*, amending Sections 46.10; 46.20; 46.30; 46.40; 46.50; 46.60; 46.70; 46.80; 46.90; 46.100; and 46.110 to require that all new facilities that generate, store, handle and dispose of hazardous waste must submit an application with plans and permit fees before the activity can occur; to require that all existing facilities submit a permit application with site plans by December 31, 2010; to prohibit the storage of automotive fluids without proper protection; and to require all new and used motor vehicle filters and parts to be stored inside a building, was adopted 12/21/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2007-Or-097**  
**By Samuels**  
**Intro & 1st Reading: 11/16/2007**  
**Ref to: PS&RS**  
**2nd Reading: 12/21/2007**

**Amending Title 3, Chapter 46 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Minneapolis Solid and Hazardous Waste.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the Title of Chapter 46 of the Minneapolis Code of Ordinances be amended to read as follows:

**CHAPTER 46. MINNEAPOLIS SOLID AND HAZARDOUS WASTE GENERATION, HANDLING, STORAGE AND DISPOSAL**

Section 2. That Section 46.10 of the above-entitled ordinance be amended to read as follows:

**46.10. Adopted.** Minnesota Rules, Chapter 7045, and Minnesota Statutes, Sections 115A.916, 325E.10, 325E.11, 325E.112 and 325E.115 are hereby adopted by reference and are incorporated in this title as fully as if set forth herein and shall be in force and effect as the Minneapolis Hazardous Waste Generation, Handling, Storage and Disposal Rules. The Rules of the Minnesota Pollution Control Agency (Solid and Hazardous Waste Division), Minnesota Rules, Chapter 7045, relating to hazardous waste, are hereby adopted by reference and are incorporated in this title as fully as if set forth herein and shall be in force and effect as the Minneapolis Hazardous Waste Rules.

Section 3. That Section 46.20 of the above-entitled ordinance be and is hereby repealed.

**46.20. Regulations on file.** Three (3) copies of the Minnesota Rules, Chapter 7045, shall be filed in the office of the city clerk and office of the director of the department of inspections for the City of Minneapolis, and remain on file in said offices for use and examination by the public. Additional copies may be obtained by the public from the Office of Revisor of Statutes, Room 3, State Capitol, St. Paul, Minnesota 55155.

Section 4. That Section 46.30 of the above-entitled ordinance be amended to read as follows:

**46.30. Definitions.** Wherever the word "state", "agency" or "Minnesota Pollution Control Agency" is used in Minnesota Rules, Chapter 7045 and Minnesota Statutes, Sections 115A.916, 325E.10, 325E.11, 325E.112 and 325E.115, it shall be held to mean the City of Minneapolis. Wherever the word "commissioner" is used in the regulations and statutes, it shall be held to mean the assistant city coordinator of regulatory services or the assistant city coordinator's authorized agent. Except as here after defined.

*Hazardous waste generating facility* – any facility that generates, handles, stores, or disposes of hazardous waste originating at their address as defined and listed in Minnesota Rules Chapter 7045, including waste motor vehicle fluids.

*Hazardous waste process facility* – any facility that generates, handles, stores, or disposes of hazardous waste originating at their address or from another address as defined and listed in Minnesota Rules Chapter 7045, including waste motor vehicle fluids.

Site operator- Any person(s), organization, company, group, or any other entity, public or private, that owns or is in control of a hazardous waste facility.

Section 5. That Section 46.40 of the above-entitled ordinance be amended to read as follows:

**46. 40. Storage and processing permit required. Permit required.** No person shall store or handle or process any hazardous waste which was not generated at the same address without first having obtained a storage and processing permit and having paid the fee as set forth in section 46.50. No permit shall be issued unless the application includes a spill prevention plan. (a) No person may begin operations of a hazardous waste facility without first filing an application and paying the permits fees as established in the director's fee schedule pursuant to section 91.70. Failure to obtain the permit prior to conducting the activity shall be deemed a violation and may result in late fees.

(b) Permit requirements. A permit shall not be issued for the operation of a new hazardous waste facility unless a hazardous waste facility application has been submitted along with a hazardous waste site plan, spill pollution prevention plan and application fees. The assistant city coordinator of regulatory services or the assistant city coordinator's authorized agent may require additional information or data deemed appropriate and/or may impose such conditions thereto as may be deemed necessary to ensure compliance with the provisions of this code for the preservation of public health and safety.

(1) Hazardous waste facility application. A written application from the site operator or their authorized representative shall be required for each permit. The application shall identify contact information a narrative of the business and be signed by the owner.

(2) Hazardous waste site plan. The site plan shall be drawn to an appropriate scale and shall include sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed hazardous waste facility, and measures proposed to contain spills and releases.

(3) Spill pollution prevention plan. The spill pollution prevention plan shall describe what measures, training and equipment have taken place and been purchased to prevent spills from occurring and what measures will be taken to address a release.

Section 6. That Section 46.50 of the above-entitled ordinance be amended to read as follows:

**46.50. Inspection and permit fees: Pollution Control Annual Billing (PCAB) registration of a hazardous waste facility.** The fees that shall be paid for inspecting the original plans and issuing permits for persons desiring to store, handle, or process any hazardous waste which was not generated at the same address shall be as established in the director's fee schedule pursuant to section 91.70. The fee for inspecting plans and issuing the original permit does not include the fee for issuing an annual storage and processing permit in case such permit is granted. Failure to obtain the permit prior to conducting the activity shall be deemed a violation and result in a doubling of permit fees:

(a) The site operator in control of a hazardous waste facility established under this ordinance or existing prior to this ordinance, shall register that site annually with the assistant city coordinator of regulatory services or the assistant city coordinator's authorized agent. The site operator shall also remit an annual registration fee, per site, in an amount as established in Appendix J, License Fee Schedule. The site operator or their agent, by submission and payment, confirm that the hazardous waste facility has been inspected, maintained and is functioning satisfactorily. The annual fee shall be due and payable on December 31 of each year. If registration is not received or postmarked on or before December 31 of each year, the applicant shall pay late fees provided for such registration. Each day of failure to maintain or obtain registration may constitute a separate violation of this Code.

(b) Existing hazardous waste facility. A hazardous waste facility existing prior to January 1, 2008, must have on file, with the assistant city coordinator of regulatory services or the assistant city coordinator's authorized agent, a hazardous waste facility application, a hazardous waste site plan, and a spill pollution prevention plan. The application and plans must be submitted by December 31, 2010.

Section 7. That Section 46.60 of the above-entitled ordinance be amended to read as follows:

**46.60. Annual fee for storage and processing registration: Annual inspection of hazardous waste facilities.** The fees for the annual storage and processing registration for any person who stores, handles, or processes any hazardous waste which was not generated at the same address shall be as established in Appendix J. The annual fee shall be due and payable on December 31 of each year. If registration is not received or postmarked on or before December 31 of each year,

the applicant shall pay double the fees provided for such registration. All hazardous waste facilities are subject to annual inspection by the assistant city coordinator of regulatory services or the assistant city coordinator's authorized agent.

Section 8. That Chapter 46 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 46.70 to read as follows:

**46.70. Motor Vehicle Fluids; liability for maintenance.** No person shall dispose of, cause to be disposed of, or allow to be disposed of, any new or used Hazardous Materials including but not limited motor oils, or other like substances in any place within the city, except in county operated oil collection stations or those privately maintained by gasoline service stations and the like. The owner or operator of oil collection stations and gasoline service stations shall operate and maintain their facilities in such a manner so as to prevent any pollution of the premises by any oil or like substance.

Section 9. That Chapter 46 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 46.80 to read as follows:

**46.80. Storage of Motor Vehicle Fluids, Filters and Parts.** (a) All new and used motor vehicle fluids, filters and parts shall be stored in a manner that prevents the release of material to the environment.

(b) All new and used motor vehicle fluids must be stored in:

(1) Sealed containers inside of a building

(2) Sealed containers outside if protected by secondary containment

(3) Above ground or underground storage tanks registered with Minneapolis Regulatory Services.

(c) All new and used motor vehicle filters and parts must be stored inside a building.

Section 10. That Chapter 46 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 46.90 to read as follows:

**46.90. Illegally Disposed of Motor Vehicle Fluids, Filters and Parts.** It shall be the responsibility of the owner of land, buildings or structures to contain and provide for the proper disposal of any new or used motor vehicle fluids, filters or parts that are disposed of on property by tenants, operators, employees or unauthorized parties.

Section 11. That Chapter 46 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 46.100 to read as follows:

**46.100. Contaminated material storage.** Any and all manufactured materials that have been in contact with pollutants, including but not limited to lubricating oils, cutting fluids, and marking dyes, must be stored inside a building or structure in such a manner as to prevent deposition of pollutants to the land and discharge to the storm drains.

Section 12. That Chapter 46 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 46.110 to read as follows:

**46.110. Violations of this code.** (a) Any person who violates any provision of this chapter shall be guilty of an ordinance violation and subject to the punishment and penalties of section 1.30(a), 1.40 and Chapter 2 of this Code.

(b) License revocation. Any owner or operator of land, buildings, or structures who possesses a city license to conduct business, in addition to the fine, may have his or her license revoked for failure to comply with this chapter.

(c) Each day of failure to maintain the hazardous waste facility in compliance with federal, state, municipal rules or submitted plans shall constitute a separate violation of this code.

Adopted 12/21/2007.

Ordinance 2007-Or-098 amending Title 3, Chapter 48 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection: Minneapolis Watershed Management Authority*, amending Sections 48.160; 48.170; and 48.180 to remove the requirement that facilities obtain, for submittal, information owned by the City of Minneapolis (Sewer maps and utility connections); to clarify information to be submitted on site map to identify site areas where chemicals are stored, site topography, site drainage and site drains; to eliminate the table of extremely hazardous substances by adopting the Code of Federal Regulations where the information is obtained from; and to eliminate the annual registration fee exemption for government bodies to allow for cost recovery for plan review and inspections, was adopted 12/21/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

December 21, 2007

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The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2007-Or-098**  
**By Samuels**  
**Intro & 1st Reading: 11/16/2007**  
**Ref to: PS&RS**  
**2nd Reading: 12/21/2007**

**Amending Title 3, Chapter 48 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Minneapolis Watershed Management Authority.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 48.160 of the above-entitled ordinance be amended to read as follows:

**48.160. Annual chemical inventory registration.** (a) Any owner or operator of land, buildings, or structures where a daily inventory of chemicals is maintained exceeding minimum thresholds as identified in section 48.170 shall obtain an Annual Chemical Inventory Registration for their facility.

(b) The fees for an Annual Chemical Inventory Registration shall be as established in section 48.310 of this chapter.

~~(c) Local units of government shall be exempt from the fee required by this section, but must register their site.~~

~~(d) State and federal agencies are exempt from fee and registration requirements but are requested to register their sites.~~

(e c) Each registration application shall include the following information:

- (1) Identification of local site contact responsible for the Annual Chemical Inventory Registration at the facility site.
- (2) Identification of a twenty-four-hour contact responsible for the Annual Chemical Inventory Registration at the facility site.
- (3) Identification of all chemicals identified in 48.170.
- (4) Listing of storage quantities and capacity of storage of all chemicals identified in 48.170.
- ~~(5) Identification of site sanitary sewer systems and the drainage path of this system to Metropolitan Council Interceptor.~~
- ~~(6 5) Site map identifying interior and exterior chemical storage areas, buildings, site access, local streets, floor drains, area drains, and area catch basins that drain to the city storm water drainage system and site topography identifying site drainage patterns, and site surface water drainage system and the drainage path to the nearest outfall to waters of the State.~~
- ~~(7 6) Such other information relating to chemical storage on the site and the identification of the persons involved as the Director of Operations and Regulatory Services or their designee may, from time to time, prescribe on a written application form.~~

Section 2. That Section 48.170 of the above-entitled ordinance be amended to read as follows:

**48.170. Minimum thresholds for annual chemical inventory registration.** An annual chemical inventory registration pursuant to this chapter shall be obtained when any of the following amounts are met or exceeded or the specified condition is met:

- (1) Any chemical for which a Material Safety Data Sheet (MSDS) is required by the United States Occupational Safety and Health Administration (OSHA) and which is stored in amounts equal to or greater than ten thousand (10,000) pounds. The amount of a chemical stored means the total amount of the chemical present at any one (1) time at a facility regardless of location, number of containers, or method of storage.
- (2) Any chemical identified as an extremely hazardous substance that exceeds its threshold planning quantity as list in the Code of Federal Regulations, Title 40 Protection of the Environment, Part 355 Emergency Planning and Notification, Appendix A – The list of Extremely Hazardous Substances and their Threshold Planning Quantities. ~~as listed in the table in this chapter and stored in quantities~~

greater than the threshold quantity as defined in the table in this chapter. The amount of an extremely hazardous substance stored means the total amount of an extremely hazardous substance present at any one (1) time at a facility at concentrations greater than one (1) percent by weight, regardless of location, number of containers, or method of storage. The amount of an extremely hazardous substance, when part of a mixture or solution, shall be determined by multiplying its weight percent (when greater than one (1) percent) by the mass, in pounds, in the vessel to yield the actual quantity of the extremely hazardous substance.

Section 3. That Section 48.180 of the above-entitled ordinance be and is hereby repealed:

**48.180. Extremely hazardous substances.** For the purposes of this chapter the following are extremely hazardous substances and have the threshold quantity as listed:

The List of Extremely Hazardous Substances and Their Threshold Quantities  
[Alphabetical Order]

| <b>GAS No.</b> | <b>Chemical Name</b>  | <b>Threshold Quantity*<br/>(pounds)</b> |
|----------------|---|---|
| 75-86-5        | Acetone Cyanohydrin   | 500                                     |
| 1752-30-3      | Acetone Thiosemicarbazide   | 500                                     |
| 107-02-8       | Acrolein  | 500                                     |
| 79-06-1        | Acrylamide  | 500                                     |
| 107-13-1       | Acrylonitrile   | 500                                     |
| 814-68-6       | Acrylyl Chloride  | 100                                     |
| 111-69-3       | Adiponitrile  | 500                                     |
| 116-06-3       | Aldicarb  | 100/500                                 |
| 309-00-2       | Aldrin  | 500                                     |
| 107-18-6       | Allyl Alcohol   | 500                                     |
| 107-11-9       | Allylamine  | 500                                     |
| 20859-73-8     | Aluminum Phosphide  | 500                                     |
| 54-62-6        | Aminopterin   | 500                                     |
| 78-53-5        | Amiton  | 500                                     |
| 3734-97-2      | Amiton Oxalate  | 100/500                                 |
| 7664-41-7      | Ammonia   | 500                                     |
| 300-62-9       | Amphetamine   | 500                                     |
| 62-53-3        | Aniline   | 500                                     |
| 88-05-1        | Aniline, 2, 4, 6-Trimethyl-   | 500                                     |
| 7783-70-2      | Antimony Pentafluoride  | 500                                     |
| 1397-94-0      | Antimycin A   | 500                                     |
| 86-88-4        | ANTU  | 500                                     |
| 1303-28-2      | Arsenic Pentoxide   | 100/500                                 |
| 1327-53-3      | Arsenous Oxide  | 100/500                                 |
| 7784-34-1      | Arsenous Trichloride  | 500                                     |
| 7784-42-1      | Arsine  | 100                                     |
| 2642-71-9      | Azinphos-Ethyl  | 100/500                                 |
| 86-50-0        | Azinphos-Methyl   | 10/500                                  |
| 98-87-3        | Benzal Chloride   | 500                                     |
| 98-16-8        | Benzenamine, 3-(Trifluoromethyl)-   | 500                                     |
| 100-14-1       | Benzene, 1-(Chloromethyl)-4-Nitro-  | 500                                     |
| 98-05-5        | Benzeneearsonic Acid  | 10/500                                  |
| 3615-21-2      | Benzimidazole, 4,5-Dichloro-2-(Trifluoromethyl)-  | 500                                     |
| 98-07-7        | Benzotrithloride  | 100                                     |
| 100-44-7       | Benzyl Chloride   | 500                                     |
| 140-29-4       | Benzyl Cyanide  | 500                                     |
| 15271-41-7     | Bicyclo[2.2.1]Heptane-2-Carbonitrile, 5-Chloro-6-(((Methylamino)Carbonyl)Oxy)Imino)-, (1s-(1-alpha, 2-beta, 4-alpha, 5-alpha, 6E))- | 500                                     |

|            |   |         |
|------------|---|---------|
| 534-07-6   | Bis(Chloromethyl)Ketone   | 10/500  |
| 4044-65-9  | Bitoscanate   | 500     |
| 10294-34-5 | Boron Trichloride   | 500     |
| 7637-07-2  | Boron Trifluoride   | 500     |
| 353-42-4   | Boron Trifluoride Compound With Methyl Ether (1:1)  | 500     |
| 28772-56-7 | Bromadiolone  | 100/500 |
| 7726-95-6  | Bromine   | 500     |
| 1306-19-0  | Cadmium Oxide   | 100/500 |
| 2223-93-0  | Cadmium Stearate  | 500     |
| 7778-44-1  | Calcium Arsenate  | 500     |
| 8001-35-2  | Campechlor  | 500     |
| 56-25-7    | Gantharidin   | 100/500 |
| 51-83-2    | Carbachol Chloride  | 500     |
| 26419-73-8 | Carbamic Acid, Methyl-, O-(((2,4-Dimethyl-1,3-Dithiolan-2-yl)Methylene)Amino)-                  | 100/500 |
| 1563-66-2  | Carbofuran  | 10/500  |
| 75-15-0    | Carbon Disulfide  | 500     |
| 786-19-6   | Carbophenothion   | 500     |
| 57-74-9    | Chlordane   | 500     |
| 470-90-6   | Chlorfenvinfos  | 500     |
| 7782-50-5  | Chlorine  | 100     |
| 24934-91-6 | Chlormephos   | 500     |
| 999-81-5   | Chlormequat Chloride  | 100/500 |
| 79-11-8    | Chloroacetic Acid   | 100/500 |
| 107-07-3   | Chloroethanol   | 500     |
| 627-11-2   | Chloroethyl Chloroformate   | 500     |
| 67-66-3    | Chloroform  | 500     |
| 542-88-1   | Chloromethyl Ether  | 100     |
| 107-30-2   | Chloromethyl Methyl Ether   | 100     |
| 3691-35-8  | Chlorophacinone   | 100/500 |
| 1982-47-4  | Chloroxuron   | 500     |
| 21923-23-9 | Chlorthiophos   | 500     |
| 10025-73-7 | Chromic Chloride  | 1/500   |
| 62207-76-5 | Cobalt, ((2, 2'-(1,2-Ethanediy)bis(Nitrilomethylidyne)) Bis(6-Fluorophenolato))(2-)·N,N',O,O')- | 100/500 |
| 10210-68-1 | Cobalt Carbonyl   | 10/500  |
| 64-86-8    | Colchicine  | 10/500  |
| 56-72-4    | Coumaphos   | 100/500 |
| 5836-29-3  | Coumatetralyl   | 500     |
| 95-48-7    | Cresol, o-  | 500     |
| 535-89-7   | Crimidine   | 100/500 |
| 4170-30-3  | Crotonaldehyde  | 500     |
| 123-73-9   | Crotonaldehyde, (E)-  | 500     |
| 506-68-3   | Cyanogen Bromide  | 500     |
| 506-78-5   | Cyanogen Iodide   | 500     |
| 2636-26-2  | Cyanophos   | 500     |
| 675-14-9   | Cyanuric Fluoride   | 100     |
| 66-81-9    | Cycloheximide   | 100/500 |
| 108-91-8   | Cyclohexylamine   | 500     |
| 17702-41-9 | Decaborane (14)   | 500     |
| 8065-48-3  | Demeton   | 500     |
| 919-86-8   | Demeton-S-Methyl  | 500     |
| 10311-84-9 | Dialifor  | 100/500 |
| 19287-45-7 | Diborane  | 100     |

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|            |                                    |         |
|------------|------------------------------------|---------|
| 111-44-4   | Dichloroethyl ether                | 500     |
| 149-74-6   | Dichloromethylphenylsilane         | 500     |
| 62-73-7    | Dichlorvos                         | 500     |
| 141-66-2   | Dicrotophos                        | 100     |
| 1464-53-5  | Diepoxybutane                      | 500     |
| 814-49-3   | Diethyl Chlorophosphate            | 500     |
| 71-63-6    | Digitoxin                          | 100/500 |
| 2238-07-05 | Diglycidyl Ether                   | 500     |
| 20830-75-5 | Digoxin                            | 10/500  |
| 115-26-4   | Dimefox                            | 500     |
| 60-51-5    | Dimethoate                         | 500     |
| 2524-03-0  | Dimethyl Phosphorochloridothioate  | 500     |
| 77-78-1    | Dimethylsulfate                    | 500     |
| 75-78-5    | Dimethyldichlorosilane             | 500     |
| 57-14-7    | Dimethylhydrazine                  | 500     |
| 99-98-9    | Dimethyl-p-Phenylenediamine        | 10/500  |
| 644-64-4   | Dimetilan                          | 500     |
| 534-52-1   | Dinitrocresol                      | 10/500  |
| 88-85-7    | Dinoseb                            | 100/500 |
| 1420-07-1  | Dinoterb                           | 500     |
| 78-34-2    | Dioxathion                         | 500     |
| 82-66-6    | Diphacinone                        | 10/500  |
| 152-16-9   | Diphosphoramidate, Octamethyl-     | 100     |
| 298-04-4   | Disulfoton                         | 500     |
| 514-73-8   | Dithiazanine Iodide                | 500     |
| 541-53-7   | Dithiobiuret                       | 100/500 |
| 316-42-7   | Emetine, Dihydrochloride           | 1/500   |
| 115-29-7   | Endosulfan                         | 10/500  |
| 2278-04-3  | Endothion                          | 500     |
| 72-20-8    | Endrin                             | 500     |
| 106-89-8   | Epichlorohydrin                    | 500     |
| 2104-64-5  | EPN                                | 100/500 |
| 50-14-6    | Ergocalciferol                     | 500     |
| 379-79-3   | Ergotamine Tartrate                | 500     |
| 1622-32-8  | Ethanesulfonyl Chloride, 2-Chloro- | 500     |
| 10140-87-1 | Ethanol, 1,2-Dichloro-, Acetate    | 500     |
| 563-12-2   | Ethion                             | 500     |
| 13194-48-4 | Ethoprophos                        | 500     |
| 538-07-8   | Ethylbis(2-Chloroethyl)Amine       | 500     |
| 371-62-0   | Ethylene Fluorohydrin              | 10      |
| 75-21-8    | Ethylene Oxide                     | 500     |
| 107-15-3   | Ethylenediamine                    | 500     |
| 151-56-4   | Ethyleneimine                      | 500     |
| 542-90-5   | Ethylthiocyanate                   | 500     |
| 22224-92-6 | Fenamiphos                         | 10/500  |
| 115-90-2   | Fensulfothion                      | 500     |
| 4301-50-2  | Fluometil                          | 100/500 |
| 7782-41-4  | Fluorine                           | 500     |
| 640-19-7   | Fluoroacetamide                    | 100/500 |
| 144-49-0   | Fluoroacetic Acid                  | 10/500  |
| 359-06-8   | Fluoroacetyl Chloride              | 10      |
| 51-21-8    | Fluorouracil                       | 500     |
| 944-22-9   | Fonofos                            | 500     |
| 50-00-0    | Formaldehyde                       | 500     |

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|            |   |         |
|------------|---|---------|
| 107-16-4   | FormaldehydeCyanohydrin                       | 500     |
| 23422-53-9 | Formetanate Hydrochloride                     | 500     |
| 2540-82-1  | Formothion                                    | 100     |
| 17702-57-7 | Formparanate                                  | 100/500 |
| 21548-32-3 | Fosthietan                                    | 500     |
| 3878-19-1  | Fuberidazole                                  | 100/500 |
| 110-00-9   | Furan   | 500     |
| 13450-90-3 | Gallium Trichloride                           | 500     |
| 77-47-4    | Hexachlorocyclopentadiene                     | 100     |
| 4835-11-4  | Hexamethylenediamine,N,N'-Dibutyl-            | 500     |
| 302-01-2   | Hydrazine                                     | 500     |
| 74-90-8    | Hydrocyanic Acid                              | 100     |
| 7647-01-0  | Hydrogen Chloride (gas only)                  | 500     |
| 7664-39-3  | Hydrogen Fluoride                             | 100     |
| 7722-84-1  | Hydrogen Peroxide (Conc 52%)                  | 500     |
| 7783-07-5  | Hydrogen Selenide                             | 10      |
| 7783-06-4  | Hydrogen Sulfide                              | 500     |
| 123-31-9   | Hydroquinone                                  | 500     |
| 13463-40-6 | Iron,Pentacarbonyl-                           | 100     |
| 297-78-9   | Isobenzan                                     | 100/500 |
| 78-82-0    | Isobutyronitrile                              | 500     |
| 102-36-3   | Isocyanic Acid, 3, 4-Dichlorophenyl Ester     | 500     |
| 465-73-6   | Isodrin                                       | 100/500 |
| 55-91-4    | Isofluorophate                                | 100     |
| 4098-71-9  | Isophorone Diisocyanate                       | 100     |
| 108-23-6   | Isopropyl Chloroformate                       | 500     |
| 119-38-0   | Isopropylmethylpyrazolyl Dimethylcarbamate    | 500     |
| 78-97-7    | Lactonitrile                                  | 500     |
| 21609-90-5 | Leptophos                                     | 500     |
| 541-25-3   | Lewisite                                      | 10      |
| 58-89-9    | Lindane                                       | 500     |
| 7580-67-8  | Lithium Hydride                               | 100     |
| 109-77-3   | Malononitrile                                 | 500     |
| 12108-13-3 | Manganese, Tricarbonyl Methylcyclopentadienyl | 100     |
| 51-75-2    | Mechlorethamine                               | 10      |
| 950-10-7   | Mephosfolan                                   | 500     |
| 1600-27-7  | Mercuric Acetate                              | 500     |
| 7487-94-7  | Mercuric Chloride                             | 500     |
| 21908-53-2 | Mercuric Oxide                                | 500     |
| 10476-95-6 | Methacrolein Diacetate                        | 500     |
| 760-93-0   | Methacrylic Anhydride                         | 500     |
| 126-98-7   | Methacrylonitrile                             | 500     |
| 920-46-7   | Methacryloyl Chloride                         | 100     |
| 30674-80-7 | Methacryloyloxyethyl Isocyanate               | 100     |
| 10265-92-6 | Methamidophos                                 | 100/500 |
| 558-25-8   | Methanesulfonyl Fluoride                      | 500     |
| 950-37-8   | Methidathion                                  | 500     |
| 2032-65-7  | Methiocarb                                    | 500     |
| 16752-77-5 | Methomyl                                      | 500     |
| 151-38-2   | Methoxyethylmercuric Acetate                  | 500     |
| 80-63-7    | Methyl 2-Chloroacrylate                       | 500     |
| 74-83-9    | Methyl Bromide                                | 500     |
| 79-22-1    | Methyl Chloroformate                          | 500     |
| 60-34-4    | Methyl Hydrazine                              | 500     |

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|            |   |         |
|------------|---|---------|
| 624-83-9   | Methylisocyanate                            | 500     |
| 556-61-6   | Methylisothiocyanate                        | 500     |
| 74-93-1    | MethylMercaptan                             | 500     |
| 3735-23-7  | MethylPhenkapton                            | 500     |
| 676-97-1   | MethylPhosphonicDichloride                  | 100     |
| 556-64-9   | MethylThiocyanate                           | 500     |
| 78-94-4    | Methyl Vinyl Ketone                         | 10      |
| 502-39-6   | Methylmercuric Dicyanamide                  | 500     |
| 75-79-6    | Methyltrichlorosilane                       | 500     |
| 1129-41-5  | Metolcarb                                   | 100/500 |
| 7786-34-7  | Mevinphos                                   | 500     |
| 315-18-4   | Mexacarbate                                 | 500     |
| 50-07-7    | Mitomycin-C                                 | 500     |
| 6923-22-4  | Monocrotophos                               | 10/500  |
| 2763-96-4  | Muscimol                                    | 500     |
| 505-60-2   | Mustard Gas                                 | 500     |
| 13463-39-3 | Nickel Carbonyl                             | 1       |
| 54-11-5    | Nicotine                                    | 100     |
| 65-30-5    | Nicotine Sulfate                            | 100/500 |
| 7697-37-2  | Nitric Acid                                 | 500     |
| 10102-43-9 | Nitric Oxide                                | 100     |
| 98-95-3    | Nitrobenzene                                | 500     |
| 1122-60-7  | Nitrocyclohexane                            | 500     |
| 10102-44-0 | Nitrogen Dioxide                            | 100     |
| 62-75-9    | Nitrosodimethylamine                        | 500     |
| 991-42-4   | Norbormide                                  | 100/500 |
| 0          | Organorhodium Complex (PMN-82-147)          | 10/500  |
| 630-60-4   | Ouabain                                     | 100/500 |
| 23135-22-0 | Oxamyl                                      | 100/500 |
| 78-71-7    | Oxetane, 3,3-Bis(Chloromethyl)-             | 500     |
| 2497-07-6  | Oxydisulfoton                               | 500     |
| 10028-15-6 | Ozone                                       | 100     |
| 1910-42-5  | Paraquat Dichloride                         | 10/500  |
| 2074-50-2  | Paraquat Methosulfate                       | 10/500  |
| 56-38-2    | Parathion                                   | 100     |
| 298-00-0   | Parathion-Methyl                            | 100/500 |
| 12002-03-8 | Paris Green                                 | 500     |
| 19624-22-7 | Pentaborane                                 | 500     |
| 2570-26-5  | Pentadecylamine                             | 100/500 |
| 79-21-0    | Peracetic Acid                              | 500     |
| 594-42-3   | Perchloromethylmercaptan                    | 500     |
| 108-95-2   | Phenol                                      | 500     |
| 4418-66-0  | Phenol, 2,2'-Thiobis(4-Chloro-6-Methyl)-    | 100/500 |
| 64-00-6    | Phenol, 3-(1-Methylethyl)-, Methylcarbamate | 500     |
| 58-36-6    | Phenoxarsine, 10,10'-Oxydi-                 | 500     |
| 696-28-6   | PhenylDichloroarsine                        | 500     |
| 59-88-1    | Phenylhydrazine Hydrochloride               | 500     |
| 62-38-4    | Phenylmercury Acetate                       | 500     |
| 2097-19-0  | Phenylsilatrane                             | 100/500 |
| 103-85-5   | Phenylthiourea                              | 100/500 |
| 298-02-2   | Phorate                                     | 10      |
| 4104-14-7  | Phosacetim                                  | 100/500 |
| 947-02-4   | Phosfolan                                   | 100/500 |
| 75-44-5    | Phosgene                                    | 10      |

|            |   |         |
|------------|---|---------|
| 732-11-6   | Phosmet   | 10/500  |
| 13171-21-6 | Phosphamidon  | 100     |
| 7803-51-2  | Phosphine   | 500     |
| 2703-13-1  | Phosphonothioic Acid, Methyl-O-Ethyl-O-(4-(Methylthio)Phenyl) Ester:              | 500     |
| 50782-69-9 | Phosphonothioic Acid, Methyl-, S-(2-(Bis(1Methylethyl) Amino)Ethyl)-O-Ethyl Ester | 100     |
| 2665-30-7  | Phosphonothioic Acid, Methyl-, O-(4-Nitrophenyl)-O-Phenyl Ester                   | 500     |
| 3254-63-5  | Phosphoric Acid, Dimethyl 4-(Methylthio)Phenyl Ester                              | 500     |
| 2587-90-8  | Phosphorothioic Acid, O, O-Dimethyl-S-(2-Methylthio) Ethyl Ester                  | 500     |
| 7723-14-0  | Phosphorus  | 100     |
| 10025-87-3 | Phosphorus Oxychloride  | 500     |
| 10026-13-8 | Phosphorus Pentachloride  | 500     |
| 7719-12-2  | Phosphorus Trichloride  | 500     |
| 57-47-6    | Physostigmine   | 100/500 |
| 57-64-7    | Physostigmine, Salicylate (1:1)   | 100/500 |
| 124-87-8   | Picrotoxin  | 500     |
| 110-89-4   | Piperidine  | 500     |
| 23505-41-1 | Pirimifos-Ethyl   | 500     |
| 10124-50-2 | Potassium Arsenite  | 500     |
| 151-50-8   | Potassium Cyanide   | 100     |
| 506-61-6   | Potassium Silver Cyanide  | 500     |
| 2631-37-0  | Promecarb   | 500     |
| 106-96-7   | Propargyl Bromide   | 10      |
| 57-57-8    | Propiolactone, Beta-  | 500     |
| 107-12-0   | Propionitrile   | 500     |
| 542-76-7   | Propionitrile, 3-Chloro-  | 500     |
| 70-69-9    | Propiophenone, 4-Amino-   | 100/500 |
| 109-61-5   | Propyl Chloroformate  | 500     |
| 75-56-9    | Propylene Oxide   | 500     |
| 75-55-8    | Propyleneimine  | 500     |
| 2275-18-5  | Prothoate   | 100/500 |
| 129-00-0   | Pyrene  | 500     |
| 140-76-1   | Pyridine, 2-Methyl-5-Vinyl-   | 500     |
| 504-24-5   | Pyridine, 4-Amino-  | 500     |
| 1124-33-0  | Pyridine, 4-Nitro-,l-Oxide  | 500     |
| 53558-25-1 | Pyriminil   | 100/500 |
| 14167-18-1 | Salcomine   | 500     |
| 107-44-8   | Sarin   | 10      |
| 7783-00-8  | Selenious Acid  | 500     |
| 7791-23-3  | Selenium Oxychloride  | 500     |
| 563-41-7   | Semicarbazide Hydrochloride   | 500     |
| 3037-72-7  | Silane, (4-Aminobutyl)-Diethoxydimethyl-  | 500     |
| 7631-89-2  | Sodium Arsenate   | 500     |
| 7784-46-5  | Sodium Arsenite   | 500     |
| 26628-22-8 | Sodium Azide (Na (N <sub>3</sub> ))   | 500     |
| 124-65-2   | Sodium Cacodylate   | 100/500 |
| 143-33-9   | Sodium Cyanide (Na(CN))   | 100     |
| 62-74-8    | Sodium Fluoroacetate  | 10/500  |
| 13410-01-0 | Sodium Selenate   | 100/500 |
| 10102-18-8 | Sodium Selenite   | 100/500 |
| 10102-20-2 | Sodium Tellurite  | 500     |
| 900-95-8   | Stannane, Acetoxytriphenyl-   | 500     |

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|            |   |         |
|------------|---|---------|
| 57-24-9    | Strychnine  | 100/500 |
| 60-41-3    | Strychnine Sulfate  | 100/500 |
| 3689-24-5  | Sulfotep  | 500     |
| 3569-57-1  | Sulfoxide, 3-Chloropropyl Octyl   | 500     |
| 7446-09-5  | Sulfur Dioxide  | 500     |
| 7783-60-0  | Sulfur Tetrafluoride  | 100     |
| 7446-11-9  | Sulfur Trioxide   | 100     |
| 7664-93-9  | Sulfuric Acid   | 500     |
| 77-81-6    | Tabun   | 10      |
| 7783-80-4  | Tellurium Hexafluoride  | 100     |
| 107-49-3   | TEPP  | 100     |
| 13071-79-9 | Terbufos  | 100     |
| 78-00-2    | Tetraethyllead  | 100     |
| 597-64-8   | Tetraethyltin   | 100     |
| 75-74-1    | Tetramethyllead   | 100     |
| 509-14-8   | Tetranitromethane   | 500     |
| 10031-59-1 | Thallium Sulfate  | 100/500 |
| 6533-73-9  | Thallos Carbonate   | 100/500 |
| 7791-12-0  | Thallos Chloride  | 100/500 |
| 2757-18-8  | Thallos Malonate  | 100/500 |
| 7446-18-6  | Thallos Sulfate   | 100/500 |
| 2231-57-4  | Thiocarbazide   | 500     |
| 39196-18-4 | Thiofanox   | 100/500 |
| 297-97-2   | Thionazin   | 500     |
| 108-98-5   | Thiophenol  | 500     |
| 79-19-6    | Thiosemicarbazide   | 100/500 |
| 5344-82-1  | Thiourea, (2-Chlorophenyl)-   | 100/500 |
| 614-78-8   | Thiourea, (2-Methylphenyl)-   | 500     |
| 7550-45-0  | Titanium Tetrachloride  | 100     |
| 584-84-9   | Toluene 2, 4-Diisocyanate   | 500     |
| 91-08-7    | Toluene 2, 6-Diisocyanate   | 100     |
| 110-57-6   | Trans-1, 4-Dichlorobutene   | 500     |
| 1031-47-6  | Triamiphos  | 500     |
| 24017-47-8 | Triazofos   | 500     |
| 76-02-8    | Trichloroacetyl Chloride  | 500     |
| 115-21-9   | Trichloroethylsilane  | 500     |
| 327-98-0   | Trichloronate   | 500     |
| 98-13-5    | Trichlorophenylsilane   | 500     |
| 1558-25-4  | Trichloro (Chloromethyl) Silane   | 100     |
| 27137-85-5 | Trichloro (Dichlorophenyl) Silane   | 500     |
| 998-30-1   | Triethoxysilane   | 500     |
| 75-77-4    | Trimethylchlorosilane   | 500     |
| 824-11-3   | Trimethylolpropane Phosphite  | 100/500 |
| 1066-45-1  | Trimethyltin Chloride   | 500     |
| 639-58-7   | Triphenyltin Chloride   | 500     |
| 555-77-1   | Tris (2-Chloroethyl) Amine  | 100     |
| 2001-95-8  | Valinomycin   | 500     |
| 1314-62-1  | Vanadium Pentoxide  | 100/500 |
| 108-05-4   | Vinyl Acetate Monomer   | 500     |
| 81-81-2    | Warfarin  | 500     |
| 129-06-6   | Warfarin Sodium   | 100/500 |
| 28347-13-9 | Xylylene Dichloride   | 100/500 |
| 58270-08-9 | Zinc, Dichloro (4, 4-Dimethyl-5((((Methylamino) Carbonyl) Oxy) Imino) Pentane nitrile)-, (T-4)- | 100/500 |
| 1314-84-7  | Zinc Phosphide  | 500     |

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\*Extremely Hazardous Substances that are solids are subject to either two (2) threshold quantity numbers. The lower quantity only applies if the solid exists in powdered form and has a particle size less than one hundred (100) microns; or is handled in solution or in molten form; or meets the criteria for a National Fire Protection Association (NFPA) rating of two (2), three (3) or four (4) for reactivity. If the solid does not meet any of these criteria, it is subject to the upper threshold quantity as shown in the table:

The one hundred (100) micron size may be determined by multiplying the weight percent of solid with a particle size less than one hundred (100) microns in a particular container by the quantity of solid in the container.

The amount of solid in a solution may be determined by multiplying the weight percent of solid in the solution in a particular container by the quantity of solution in the container.

The amount of solid in molten form must be multiplied by 0.3 to determine whether the lower threshold quantity is met.

Adopted 12/21/2007.

Ordinance 2007-Or-099 repealing Title 3, Chapter 53 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection: Lubricating and Motor Oils Recycling*, repealing Sections 53.10; 53.20; 53.30; 53.40; 53.50; and 53.60, was adopted 12/21/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2007-Or-099**  
**By Samuels**  
**Intro & 1st Reading: 11/16/2007**  
**Ref to: PS&RS**  
**2nd Reading: 12/21/2007**

**Repealing Title 3, Chapter 53 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Lubricating and Motor Oils Recycling.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 53 of the above-entitled ordinance be and is hereby repealed.

**CHAPTER 53. LUBRICATING AND MOTOR OILS RECYCLING\***

**53.10. Purpose and policy.** The purpose of this chapter is to protect the public health, safety and welfare; to provide for the upgrading of the ecology and environment; to prevent water pollution; to provide for adequate safeguards for the proper disposal of new and used motor oil and other waste lubricating materials; and to aid and assist in the energy conservation program of the United States and the State of Minnesota.

**53.20. Findings.** The council finds that there exists in the city many instances where oils and other like chemical substances are allowed to fall upon the ground, streets and alleyways of the city to the detriment of the public health and safety and adding to the degrading of the environment. Such conditions adversely affect the public's health and safety and lead to the continuation, extension and aggravation of the energy crisis now prevalent throughout the land and to the potential pollution of underground water supplies and the city's sewer system. Adequate protection of the public health, safety and welfare, therefore, requires the establishment and enforcement of specifically designated locations for the collection of such waste materials, including new and used motor oils and other like substances.

**53.30. State standards and regulations.** (a) *Adopted.* There is hereby adopted as an ordinance of the City of Minneapolis, Minnesota Statutes, Section 325E.10 et seq., entitled "Motor Oil Recycling" as fully as if set forth herein and shall be in force and effect as an ordinance of the city.

(b) *Statute to be filed.* A copy of Minnesota Statutes, Section 325E.10 et seq., marked "Official Copy" shall be filed in the office of the city clerk and remain on file in said office for use and examination by the public. The clerk shall furnish copies of said statute at cost to any person, upon request.

(e) *Definitions.* The definitions contained in subdivisions 2, 3 and 4 of Minnesota Statutes, Section 325E.10, shall be those definitions intended to be used throughout this chapter. Wherever the word "state" is used in said statute, the words "City of Minneapolis" shall be used in its place and thus give its proper intended usage.

**53.40. Oil collection stations; liability for maintenance.** No person shall dispose of, cause to be disposed of, or allow to be disposed of, any new or used motor oils or other like substances in any place within the city, except in city-operated oil collection stations or those privately maintained by gasoline service stations and the like. The owner or operator of oil collection stations and gasoline service stations shall operate and maintain their facilities in such a manner so as to prevent any pollution of the premises by any oil or like substance.

**53.50. Exception; permit, fee.** This chapter is in no way intended, nor shall it be construed, to hinder or interfere with the proper application of oil on private roadways or parking lot surfaces as a means of dust pollution control. Whenever such oils or other like substances are used on such surfaces for dust suppression control, the person intending to use such substances shall first secure from the director of inspections a permit to so do. The cost of such permit shall be fifteen dollars (\$15.00) per application.

**53.60. Violations.** A violation of any provision of this chapter shall be and constitute a misdemeanor, punishable as provided in section 1.30.

Adopted 12/21/2007.

**PS&RS -** Your Committee, having under consideration the application of Lili-Nick Inc, dba Tooties on Lowry, 2706 Lowry Av N, for an On-Sale Wine Class E with Strong Beer License (change from On-Sale Beer) to expire April 1, 2008, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 12/21/2007.

**PS&RS -** Your Committee recommends passage of the accompanying resolution granting the application of Columbia Grounds, 3301 Central Av NE, for an On-Sale Wine Class D with Strong Beer License, subject to conditions.

Adopted 12/21/2007.

Resolution 2007R-662, granting the application of Columbia Grounds, 3301 Central Av NE, for an On-Sale Wine Class D with Strong Beer License, subject to conditions, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-662**

**By Samuels**

**Granting the application of Columbia Grounds, 3301 Central Av NE, for an On-Sale Wine Class D with Strong Beer License, subject to conditions.**

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Columbia Grounds Inc, dba Columbia Grounds, 3301 Central Av NE, for an On-Sale Wine Class D with Strong Beer License to expire April 1, 2008, subject to the following conditions:

1. Submit a complete land use application to obtain all necessary approvals to amend the approved site plan by January 2, 2008. A land use application submittal will need to include all applications necessary to bring the property into full compliance with City ordinances such as a parking variance, setback variances, fence height variances, and outdoor sales and display variances as needed.

The City will not take adverse license action under the following circumstances:

a. If a land use application is submitted and approved, the following timeline must be met in addition to any conditions of approval required by the Board of Adjustments, Planning Commission or City Council. Required permits must be taken by April 2, 2008. Parking lot installation, site grading and building improvements must be completed by August 15, 2008.

b. If a land use application is denied, the licensee must submit a letter outlining a schedule to complete improvements by September 30, 2008. The letter must be submitted within 10 business days of the land use denial.

2. All remaining site plan improvements must be completed by September 30, 2008.

3. Failure to comply with required permits will result in increased fees and administrative citations.

4. Final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 12/21/2007.

**PS&RS** - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 12/21/2007.

Resolution 2007R-663, granting applications for Liquor, Wine and Beer Licenses, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-663**

**By Samuels**

**Granting Liquor, Wine and Beer Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

**Off-Sale Liquor, to expire January 1, 2009**

Loring Park Assoc Limited Partners, dba Hyatt Regency Minneapolis, 1300 Nicollet Mall

Haskell's Inc, dba Haskell's, 81 S 9th St

Surdyk's Liquor Inc, dba Surdyk's Liquor, 303 E Hennepin Av

U B Liquors LLC, dba Merwin Liquors, 700 W Broadway

Jessy & Luke Inc, dba Hi-Lake Liquors, 2130 E Lake St

Sam's Washington Avenue Wine Shop LLC, dba Sam's Washington Avenue Wine Shop, 218 Washington Av N

RWB Minneapolis Catering LLC, dba Chefs Production, 600 1st Av N

**On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2008**

Drink Inc, dba Drink, 26 5th St N

**On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2009**

University Gateway Corp, dba Gateway Cafe, 200 Oak St SE

331 Club Inc, dba 331 Club, 331 13th Av NE

Graves Hospitality Corporation, dba Graves 601 Hotel, 601 1st Av N

Columbia Park Business Center Corp, dba Minneapolis Grand Hotel, 615 2nd Av S

Grandma's of Minneapolis Inc, dba Grandma's Saloon & Grill, 1810 Washington Av S

Twin City Catering Inc, dba Picnics Plus/Affairs to Remember, 2117 W River Rd, Suite 100

701 Ventures Inc, dba First Avenue, 29 7th St N, two floors

Mangos Entertainment LLC, dba Visage, 400 3rd Av N

Secure Entertainment LLC, dba Lounge (The), 411 2nd Av N

422 Hennepin Inc, dba Brass Rail on Hennepin, 422 Hennepin Av

RWB Minneapolis Catering LLC, dba Chefs Production, 600 1st Av N

Bellanotte Hospitality LLC, dba Bellanotte, 600 Hennepin Av, #170

University Inn Assoc a Ltd Partnership, dba Radisson Hotel Metrodome, 615 Washington Av SE  
Lip to Lip Inc, dba In Wunderbar, 983 E Hennepin Av  
Loring Park Assoc Ltd Partners, dba Hyatt Regency Hotel, 1300 Nicollet Mall

**On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2009**

Lymar Inc, dba Lyon's Pub, 16 S 6th St, ground floor

Murray's Inc, dba Murray's, 24 S 6th St, 1st floor

Campus Club of the University of Minnesota, dba Campus Club of the University of Minnesota, 300 Washington Av SE

Russel-Harris Enterprises, dba Annies Kitty Cat Klub, 313 14th Av SE (license upgrade)

Baz Inc, a Minnesota Corp, dba Champps, 100 6th St N (including Class B outdoor entertainment)

River Jakes Inc, dba Ney's Polonaise Room, 112 E Hennepin Av

CSM Depot LLC, dba Renaissance by Marriott, 225 3rd Av S

Spring Street Tavern LLC, dba Spring Street Tavern, 355 Monroe St NE

Conga Corporation, dba Conga Latin Bistro, 501 E Hennepin Av

RWB Minneapolis LLC, dba NBA City, 600 1st Av N

Haze 3 Corp, dba Grumpy's Bar & Grill, 1107 Washington Av S

Shaw's Bar & Grill Inc, dba Shaw's Bar & Grill, 1528 University Av NE

Katabays Corporation, dba Blue Nile, 2027 E Franklin Av

**On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2008**

Red Rocket LLC, dba The 508, 508 1st Av N (change in ownership from Old Chicago of Colorado Inc)

Sega Entertainment USA Inc, dba Gameworks, 600 Hennepin Av, #110

**On-Sale Liquor Class C-1 with Sunday Sales, to expire October 1, 2008**

Slainte LLC, dba The Melting Pot, 80 S 9th St

**On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 2009**

Keegan Pubs Inc, dba Keegans Pub, 16 University Av NE

HRS Enterprises Inc, dba Red Sea Bar & Restaurant, 320 Cedar Av S

Keegan Pubs Inc, dba Little Wagon, 420 S 4th St

**On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2009**

Aster Pictures Corporation, dba Aster, 125 Main St SE

Lame Duk LLC, dba Rachel's, 222 E Hennepin Av

Concept Eatery LLC, dba 112 Eatery, 112 3rd St N

Venue Management LLC, dba Pantages Theatre, 710 Hennepin Av

Venue Management Inc, dba State Theatre, 805 Hennepin Av

Venue Management Inc, dba Orpheum Theatre, 910 Hennepin Av

Cardenas Enterprises Inc, dba Pancho Villa's Grill, 2539 Nicollet Av

**On-Sale Liquor Class D with Sunday Sales, to expire January 1, 2009**

Amazing Thailand LLC, dba Amazing Thailand, 3024 Hennepin Av

**On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2009**

Brinda Companies Inc, dba Pracna on Main, 117 Main St SE

Frog Eyes LLC, dba McNamara's Sports Bar, 312 Central Av NE

B & A Restaurant Corporation, dba Ping's Szechuan Bar & Grill, 1401 Nicollet Av

3675 Minnehaha Inc, dba Rail Station Bar & Grill, 3675 Minnehaha Av

McCormick & Schmick Restaurant Corp, dba M & S Grill, 50 S 6th St

OSF International Inc, dba Old Spaghetti Factory, 233 Park Av

Zelo Inc, dba Zelo, 831 Nicollet Mall

Back Bar LLC, dba Eli's, 1225 Hennepin Av

**On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2008**

Green Mill Enterprises Inc, dba Green Mill Too, 2626 Hennepin Av (internal transfer of shares)

**On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2008**

Starmac Inc, dba Champions Sports Bar, 105 W Lake St (internal transfer of shares)

FCA Restaurant Company LLC, dba Martini Blu, 615 2nd Av S

**Off-Sale Beer, to expire April 1, 2008**

Jerry's Enterprises, Inc, dba Cub Foods-Lake Street, 2850 26th Av S

Adopted 12/21/2007.

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**PS&RS** - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.  
Adopted 12/21/2007.

Resolution 2007R-664, granting applications for Business Licenses, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-664  
By Samuels**

**Granting applications for Business Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of December 21, 2007 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 272489):

Amusement Devices; Place of Amusement Class B-1; Place of Amusement Class C; Asphalt Shingles & Roofing Manufacturer; Check Cashing; Christmas Tree; Place of Entertainment; Confectionery; Grocery; Food Manufacturer; Meat Market; Milk & Grocery Delivery Vehicle; Gas Fitter Class A; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class A; Heating, Air Conditioning & Ventilating Class B; Hotel/Motel; Motor Vehicle Immobilization Service; Motor Vehicle Repair Garage; Towing Class A; Towing Class B; Commercial Parking Lot Class A; Commercial Parking Lot Class B; Plumber; Refrigeration Systems Installer; Residential Specialty Contractor; Secondhand Goods Class B; Sign Hanger; Steam & Hot Water Systems Installer; Suntanning Facility; Taxicab Limited; Taxicab Vehicle Fuel Efficient; Taxicab Vehicle; Theatre Zone I; Tobacco Dealer; Combined Trades; Wrecker of Buildings Class A; Wrecker of Buildings Class B.

Adopted 12/21/2007.

**PS&RS** - Your Committee recommends granting the following application for a Gambling License:

**Gambling Exempt**

Patrick's Cabaret, dba Patrick's Cabaret, 3010 Minnehaha Av (Raffle February 23, 2008)

Adopted 12/21/2007.

**PS&RS** - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Wine License held by El Pantano Restaurant, 417 E Lake St.

Adopted 12/21/2007.

Resolution 2007R-665, approving License Settlement Conference recommendations relating to the On-Sale Wine License held by El Pantano Restaurant, 417 E Lake St, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-665  
By Samuels**

**Approving License Settlement Conference recommendations relating to the On-Sale Wine License held by El Pantano, 417 E Lake St.**

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on September 6, 2007 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee violated the Minneapolis Code of Ordinances by a) allowing entertainment outside of its Class B license; b) allowing others to use its licensed premises; c) not providing clear documentation of 60/40 food/alcohol sales reporting; d) its employees selling alcohol, on two separate occasions, to persons under the age of 21; e) allowing patrons in an area that was not part of the legally licensed premises; and f) by operating the establishment past the legally allowed time of 1:00 a.m.;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. The Minneapolis Licenses and Consumer Services Division will impose a \$5,000 sanction that will be due at the time of signing this agreement.

2. The Minneapolis Licenses and Consumer Services Division will impose a 30 day suspension of El Pantano's On-Sale Wine and Strong Beer License, of which 15 days will be stayed for two years from the signing of this agreement if there are no same or similar violations. Fifteen days will be served as follows: seven days during December 17 through December 24, 2007; and eight days during the first week in June 2008.

3. The licensee will provide a detailed, independent Certified Public Accountant report on purchases and sales (including summaries of all receipts) from January 1, 2007 through June 30, 2007 to the Licenses and Consumer Services Division, due 30 days after this agreement is approved by the City Council.

4. The licensee will provide a detailed, independent Certified Public Accountant report on purchases and sales (including summaries of all receipts) from January 1, 2008 through June 30, 2008 to the Licenses and Consumer Services Division, due on the 15th of each following month for January, February, March, April, May and June 2008.

5. The licensee will obtain equipment, in the form of a cash register and/or software, that will clearly support 60/40 calculation and documentation within two weeks of City Council approval.

6. The licensee will provide a copy of the lease agreement for El Pantano Restaurant every time the lease is updated or renewed with the property owner within two weeks after signing.

7. The licensee will not advertise El Pantano as a nightclub or nightclub type of establishment. It shall be made clear to patrons and potential patrons that El Pantano is primarily a restaurant that offers live entertainment. The licensee and/or promoter for the licensee will not distribute or hire others to distribute flyers, handbills, et cetera to the public on any public right of way, open air plaza, open air parking lot or ramp, or near sporting events or convention facilities in the City of Minneapolis that advertise events at the establishment.

8. The licensee will provide and implement a plan that shows clear management of security, youth alcohol compliance, including the surveillance system, and lists staffing for each day, due at the time of signing.

9. The licensee will not allow other businesses or promoters to use their licensed premises.

10. The licensee will provide a current floor plan due at time of signing.

11. All live entertainment and alcohol service will end at 1:00 a.m. and alcohol will be removed from tables and patrons will be off the premises by 1:30 a.m.

12. This agreement does not alter or preclude any previously imposed license conditions that may exist regarding any other licenses held by El Pantano.

13. This agreement shall not preclude any other adverse license action for subsequent violations of this agreement, or for subsequent violations or subsequently-discovered violations of any federal, state or local laws, ordinances or regulations.

Adopted 12/21/2007.

**PS&RS** – Your Committee, having under consideration the property located at 2012 29th Av S which has been determined by the Inspections Division of the City of Minneapolis to constitute a nuisance under the Minneapolis Code of Ordinances; and a Director's Order to Demolish the property

having been mailed to persons having an interest in the property, which was subsequently appealed to the Nuisance Condition Process Review Panel, now recommends concurrence with the recommendation of the Panel that the Director of Inspections' Order to demolish the building located at 2012 29th Av S be upheld, in accordance with the Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk, which are hereby made a part of this report by reference.

Adopted 12/21/2007.

**PS&RS** – Your Committee, having under consideration the property located at 3021 Park Av which has been determined by the Inspections Division of the City of Minneapolis to constitute a nuisance under the Minneapolis Code of Ordinances; and a Director's Order to Demolish the property having been mailed to persons having an interest in the property, which was subsequently appealed to the Nuisance Condition Process Review Panel, now recommends concurrence with the recommendation of the Panel that the Director of Inspections' Order to demolish the building located at 3021 Park Av be upheld, in accordance with the Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk, which are hereby made a part of this report by reference.

Glidden moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote 12/21/2007.

**PS&RS** – Your Committee, having under consideration the Rental Dwelling License held by Davood Raboodan for the property located at 1060 23rd Av SE, and a hearing having been held by the Rental Dwelling License Board of Appeals on October 23, 2007, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked for failure to comply with the licensing standard requirements of Section 244.1910 (3) of the Minneapolis Code of Ordinances relating to over occupancy, as more fully set forth in the Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk, which is hereby made a part of this report by reference.

Adopted 12/21/2007.

**PS&RS** - Your Committee, having under consideration a request by Venus Grocery, 3751 Portland Av, for a stay of the City Council's decision of October 19, 2007 to revoke its Tobacco Dealer's License, which is on appeal to the Minnesota Court of Appeals, now recommends that a stay be granted, subject to full compliance with the following conditions:

a. that the licensee develop a written policy that would require that IDs be checked for every sale of tobacco products.

b. that the licensee install, maintain and use verification ID equipment for every sale of tobacco products.

c. that the surveillance camera that's currently installed be directed to clearly observe the sale of all products at the cash register.

d. if the current surveillance camera does not focus on the cash register area, in accordance with Section 259.230 of the Minneapolis Code of Ordinances and City policy, that a second camera be installed.

Glidden moved that the report be amended by adding that "all conditions be implemented within 30 days of the City Council decision". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 12/21/2007.

**PS&RS** - Your Committee, having under consideration the Catering License held by D & L Thibodeaux LLC, dba Top Diner, 4330 Lyndale Av N, and the Committee having held a license hearing to determine whether the licensee failed to allow inspections on the premises by the Environmental Health Division of the Department of Regulatory Services, and failed to operate the establishment in accordance with the Minneapolis Code of Ordinances and the Minnesota Food Code, now recommends that said license held by Top Diner be revoked.

Adopted 12/21/2007.

**The PUBLIC SAFETY & REGULATORY SERVICES and WAYS & MEANS/BUDGET Committees submitted the following report:**

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute an amendment to the agreement with the Federal Bureau of Alcohol, Tobacco and Firearms (ATF) to accept an additional \$125,554 as reimbursement to the Police Department for overtime expenses for officers who assist the ATF. Further, passage of the accompanying resolution appropriating \$125,554 to the Police Department.

Adopted 12/21/2007.

**RESOLUTION 2007R-666  
By Samuels and Ostrow**

**Amending The 2007 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-C007) by \$125,554 and increasing the Revenue Source (030-400-C007 - Source 3210) by \$125,554.

Adopted 12/21/2007.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

**T&PW** - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Steven A. Kotke to serve as the Director of Public Works for a two-year term beginning January 2, 2008, and having held a public hearing thereon, now recommends approval of said appointment. (Petr No 272463)

Adopted 12/21/2007.

**T&PW** - Your Committee recommends approval of Amendment No 1, increasing Contract No C-24355 with George Konik Associates, Inc. by \$45,000, for a revised contract total of \$100,000, and extension of the contract end date to July 31, 2008 for miscellaneous construction management services. No additional appropriation required.

Adopted 12/21/2007.

**T&PW** - Your Committee recommends that the proper City officers be authorized to enter into a Storm Drain Easement and Easement Restriction Agreement between American Iron and Steel Company, Atlas Land Company, and the City of Minneapolis, as set forth in Petr No 272494 on file in the office of the City Clerk.

Your Committee further recommends that the proper City officers be authorized to enter into a Memorandum of Agreement with American Iron and Steel for storm drain replacement, as set forth in Petr No 272494 on file in the office of the City Clerk.

Adopted 12/21/2007.

Approved by Mayor Rybak 12/21/2007.

(Published 12/26/2007)

The **TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET** Committees submitted the following reports:

**T&PW & W&M/Budget** - Your Committee, having under consideration the Lowry Ave N Phase II (Girard Ave N to Theodore Wirth Pkwy) Reconstruction Project, Special Improvement of Existing Street No 2266, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments; and

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b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$407,122 for the project.  
Adopted 12/21/2007.  
Approved by Mayor Rybak 12/21/2007.  
(Published 12/26/2007)

Resolution 2007R-667, ordering the work to proceed and adopting the special assessments for the Lowry Ave N Phase II Reconstruction Project, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-667  
By Colvin Roy and Ostrow**

**LOWRY AVENUE NORTH PHASE II RECONSTRUCTION PROJECT  
(GIRARD AVENUE TO THEODORE WIRTH PARKWAY)  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2266**

**Ordering the work to proceed and adopting the special assessments for the Lowry Ave N Phase II Reconstruction Project.**

Whereas, a public hearing was held on December 11, 2007, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2007R-561, passed November 2, 2007 to consider the proposed special assessments as on file in the office of the City Clerk, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2007R-561, passed November 2, 2007.

Be It Further Resolved that the proposed special assessments in the total amount of \$407,122.42 for the Lowry Ave N Phase II Reconstruction Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be it Further Resolved that for the Lowry Ave N Phase II Reconstruction Project, the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2009 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments on the 2009 real estate tax statements.

Adopted 12/21/2007.

Approved by Mayor Rybak 12/21/2007.

Resolution 2007R-668, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$407,122 for the Lowry Ave N Phase II Reconstruction Project, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-668**  
**By Colvin Roy and Ostrow**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$407,122 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Lowry Ave N Phase II Reconstruction Project, Special Improvement of Existing Street No 2266, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 12/21/2007.

Approved by Mayor Rybak 12/21/2007.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Lowry Ave N Phase II (Girard Ave N to Theodore Wirth Parkway) Reconstruction Project, Special Improvement of Existing Street No 2266, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the paving project; and
- b) Ordering the City Engineer to establish parking restrictions and to submit the resolution to the Commissioner of Transportation.

Adopted 12/21/2007.

Approved by Mayor Rybak 12/21/2007.

(Published 12/26/2007)

Resolution 2007R-669, ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction project in the Lowry Ave N (Girard Ave N to Theodore Wirth Parkway) area, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-669**  
**By Colvin Roy and Ostrow**

**Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction project in the Lowry Ave N (Girard Ave N to Theodore Wirth Parkway) area.**

Whereas, the City of Minneapolis has scheduled the reconstruction improvements during 2008 in cooperation with Hennepin County in the Lowry Ave N area of Minneapolis; and

Whereas, there are areaways located in the public street right-of-way that are in conflict with said reconstruction; and

Whereas, a public hearing was held on December 11, 2007 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above-mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

**December 21, 2007**

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That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along Lowry Ave N (both sides) from Girard Ave N to Theodore Wirth Parkway.

Adopted 12/21/2007.

Approved by Mayor Rybak 12/21/2007.

Resolution 2007R-670, ordering the City Engineer to establish No Parking Anytime restrictions on both sides of Lowry Ave N between the limits of Girard Ave N and Theodore Wirth Parkway except where parking bays are provided, amend the existing rush hour zones to exclude Lowry Ave N between the limits of Girard Ave N and Theodore Wirth Parkway, and establish No Parking Bus Stop Zones between the limits of Girard Ave N and Theodore Wirth Parkway, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-670**  
**By Colvin Roy and Ostrow**

**Ordering the City Engineer to establish No Parking Anytime restrictions on both sides of Lowry Ave N between the limits of Girard Ave N and Theodore Wirth Parkway except where parking bays are provided, amend the existing rush hour zones to exclude Lowry Ave N between the limits of Girard Ave N and Theodore Wirth Parkway, and establish No Parking Bus Stop Zones between the limits of Girard Ave N and Theodore Wirth Parkway.**

Whereas, Hennepin County wishes to reconstruct Lowry Ave N from Girard Ave N to Theodore Wirth Parkway; and

Whereas, Minnesota Department of Transportation (Mn/DOT) State Aid Rule 8820 requires parking provisions to meet standard minimum widths based on design speed, functional classification and the existing average daily traffic volumes; and

Whereas, the project includes the addition of on-street bike lanes on both sides of the street, in accordance with the 2001 City of Minneapolis Bikeways Master Plan; and

Whereas, to accommodate roadway improvements including on-street bike lanes, turn lanes, medians, bus stops and streetscape improvements, the City recommends establishing parking restrictions on both sides of Lowry Ave N between the limits of Girard Ave N and Theodore Wirth Parkway, except at parking bay locations as shown on the Hennepin County Lowry Avenue Reconstruction Plan, C.P. 0302 and S.P. 27-753-11 in the City Engineer's office; and

Whereas, State Aid rules require a certified resolution documenting the requested action;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to install the parking restrictions and to submit this resolution to the Commissioner of Transportation to meet State Aid Rule 8820.

Adopted 12/21/2007.

Approved by Mayor Rybak 12/21/2007.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Marquette Avenue and Second Avenue Transit Project, a portion of the Urban Partnership Agreement (UPA) for the Twin Cities Metropolitan Area, now recommends:

a) That the proper City officers be authorized to negotiate and execute a Subrecipient application, including endorsement of Federal Transit Administration (FTA) Certifications and Assurances, with the Metropolitan Council, the designated recipient of the FTA funds;

b) That the Department of Public Works be authorized to proceed with the Marquette and Second Avenue Transit Project design work; and

c) That the proper City officers be authorized to develop and issue a Request for Proposals (RFP) for a consultant to provide additional design and construction management services in support of the Marquette and Second Avenue Transit Project, pending approval of the Permanent Review Committee (PRC).

Adopted 12/21/2007.

**T&PW & W&M/Budget** - Your Committee, having under consideration the construction of the Midtown Greenway Bicycle Station with staff recommendations as follows:

- a) Passage of the accompanying resolution:
    - Transferring \$127,000 from the U of M Trail Project to the Bicycle Station Project; and
    - Transferring \$109,000 from the Hiawatha Trail Connections Project to the Bicycle Station Project;
  - b) Passage of the accompanying resolution accepting funds and increasing the appropriation for the Midtown Greenway Bicycle Station Project as follows:
    - Accepting \$18,000 from the Midtown Greenway Coalition to complete additional HVAC work to allow for possible future office space to be occupied by the Midtown Greenway Coalition;
    - Accepting \$75,000 from Allina Health Systems; and
    - Accepting \$25,000 from Ryan Companies;
  - c) That the proper City officers be authorized to execute an amendment to an agreement with Allina Health Systems to reflect a new project layout and leased area to the project vendor;
  - d) Passage of the accompanying resolution accepting the low bid of Frerichs Construction Company (OP 6818) in the amount of \$511,000 to construct the Midtown Greenway Bicycle Station, accepting Bid Alternate #1 in the amount of \$49,000 to construct the shower room, and accepting Bid Alternate #2 in the amount of \$18,000 to construct a larger HVAC system; and
  - e) That the proper City officers be authorized to execute an agreement with the Minnesota Department of Transportation to complete the project;
- now recommends:

**T&PW:** Approval.

**W&M/Budget:** Sent forward without recommendation with staff directions as follows:

- Finance Department to report back to the Transportation & Public Works and Ways & Means/Budget Committees on the city's financial policy regarding the reallocation of capital project funds from incomplete projects and with suggestions for more flexibility; and
- Public Works and Finance Department to identify funding and clarify criteria for use of bond financing for bike projects that have a life cycle of less than five years and report back to the Transportation & Public Works Committee.

Colvin Roy moved to amend the report to substitute the following resolutions for the resolution referred to in Item (a):

- "a) Passage of the accompanying resolutions:
  - Receiving and accepting the final costs to close out the Humboldt Greenway Paving Project and transferring \$220,707.35 of excess Net Debt Bonds to the Midtown Greenway Bicycle Station Project; and
  - Requesting concurrence of the Board of Estimate and Taxation in the reallocation of the Net Debt Bonds." Seconded.

Adopted upon a voice vote.

Colvin Roy moved approval of the Transportation and Public Works Committee recommendation, as amended, to include the Ways & Means/Budget Committee staff directions. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 12/21/2007.

**RESOLUTION 2007R-671**  
**By Colvin Roy and Ostrow**

**Amending The 2007 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the final costs of all work described in the Humboldt Greenway Paving Project (4100-937-9374 project HUMGR) in the amount of \$579,292.65 be received and accepted and that the capital appropriation be adjusted as specified, thereby closing the project and reallocating \$220,707.35 of excess Net Debt Bonds to the Midtown Greenway Bicycle Station:

**December 21, 2007**

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Increasing the appropriation in the Transportation Capital Agency in the Capital Improvements Fund (4100-943-9470 BIK 19) by \$220,707.35 and decreasing the appropriation in the PW-Paving Construction Capital Agency in the Capital Improvements Fund (4100-937-9374 HUMGR) by \$220,707.35.

Adopted 12/21/2007.

Resolution 2007R-672, requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-672  
By Colvin Roy and Ostrow**

**Requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to concur with the reallocation of already issued Net Debt Bonds, from the Humboldt Avenue Greenway Paving Project in the amount of \$220,707.35 (4100-937-9374-HUMGR) to the Midtown Greenway Bicycle Station Project (4100-943-9470 BIK19).

Adopted 12/21/2007.

Resolution 2007R-673, accepting contributions from the Midtown Greenway Coalition, Allina Health Systems, and Ryan Companies for the construction of the Midtown Greenway Bicycle Station, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-673  
By Colvin Roy and Ostrow**

**Amending The 2007 Capital Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) Accepting \$18,000 from the Midtown Greenway Coalition and increasing the appropriation for the PW-Transportation Capital Agency in the Capital Improvements Fund (4100-943-9470 BIK19) by \$18,000 and increasing the revenue source (4100-943-9470-3225) by \$18,000;

b) Accepting \$75,000 from Allina Health Systems and increasing the appropriation for the PW-Transportation Capital Agency in the Capital Improvements Fund (4100-943-9470 BIK19) by \$75,000 and increasing the revenue source (4100-943-9470-3225) by \$75,000; and

c) Accepting \$25,000 from Ryan Companies and increasing the appropriation for the PW-Transportation Capital Agency in the Capital Improvements Fund (4100-943-9470 BIK19) by \$25,000 and increasing the revenue source (4100-943-9470-3225) by \$25,000.

Adopted 12/21/2007.

Resolution 2007R-674, accepting the low bid of Frerichs Construction Company, in the amount of \$511,000, to furnish and deliver all labor, materials, equipment, and incidentals necessary to construct the Midtown Greenway Bicycle Station, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-674  
By Colvin Roy and Ostrow**

**Granting approval of a bid for projects and/or services for the City of Minneapolis.**

Resolved by The City Council of The City of Minneapolis:

That the following bid be accepted and that the proper City officers be authorized to execute contracts for the projects and/or services, in accordance with City specifications, and contingent upon approval of the Civil Rights Department. (Petn No 272495)

OP #6818, Accept low bid of Frerichs Construction Company, in the amount of \$511,000, to furnish and deliver all labor, materials, equipment, and incidentals necessary to construct the Midtown Greenway Bicycle Station, accepting Bid Alternate #1 in the amount of \$49,000 to construct the shower room, and accepting Bid Alternate #2 in the amount of \$18,000, to construct a larger HVAC system.  
Adopted 12/21/2007.

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the following bids submitted to the Public Works Department:

- a) OP 6866, Accept responsive bid of Custom Products and Services, for an estimated annual expenditure of \$60,148, to furnish and deliver snow and ice removal in the Dinkytown Special Service District through October 31, 2008; and
- b) OP 6867, Accept responsive bid of Custom Products and Services, for an estimated annual expenditure of \$50,000, to furnish and deliver snow and ice removal in the Stadium Village Special Service District through April 30, 2008.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said services, all in accordance with City specifications and contingent upon the approval of the Civil Rights Department.

Adopted 12/21/2007.

**The WAYS & MEANS/BUDGET Committee submitted the following reports:**

**W&M/Budget** - Your Committee having received and filed the Ethical Practices Board report findings pursuant to Minneapolis Code of Ethics, Section 15.240 (b), from the City Attorney's Office as set forth in Petn No 272501 on file in the Office of the City Clerk, now recommends approval.

Adopted 12/21/2007.

**W&M/Budget** - Your Committee, having under consideration the City's Minneflex Plan, now recommends the following:

- a) Authorizing proper City officers to execute amendments to incorporate the recent Minnesota legislative change to the definition of dependent to include children until they reach 25 years of age, effective January 1, 2008; and
- b) Compliance with Internal Revenue Service cafeteria plan regulations to permit the City to take the entire employee paid premium on a pre-tax basis and to impute income to the employee as coverage is provided to non-code dependents.

Adopted 12/21/2007.

**W&M/Budget** - Your Committee, having under consideration the City's outgoing broadcast messaging service system to notify Minneapolis residents and employees of emergency notifications via voice, text and email messaging, now recommends authorizing proper City officers to execute a contract with SwiftReach Networks, Inc. for an estimated cost of \$300,000 over a three-year term with two additional one-year options to renew for said service.

Adopted 12/21/2007.

**W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to amend the Mythics contract C-24063 in the amount of \$125,000 for financial training through Oracle University, on the new financial system going live January 1, 2008.

Adopted 12/21/2007.

**W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals (RFP) to enhance security systems along the Mississippi River corridor. Project funded from Office of Justice Program Grant (2007-GB-T7-0206).

Adopted 12/21/2007.

**W&M/Budget** – Your Committee recommends passage of the accompanying resolution authorizing the acceptance of a donation from Meet Minneapolis to the City of Minneapolis to reimburse Ward 7 in the amount of \$1,813.42, relating to the City’s Green Roof Policy and Conference Planning; and appropriating the funds.

Adopted 12/21/2007.

**RESOLUTION 2007R-675**

**By Ostrow**

**Amending The 2007 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by:

a) Accepting the donation in the amount of \$1,813.42, made to the City of Minneapolis from Meet Minneapolis; and

b) Increasing the appropriation for the City Clerk Agency in the General Fund (0100-260-2307-5070) by \$1,813.42, and increasing the Revenue Source (0100-260-2307 - Source 3720) by \$1,813.42.

Adopted 12/21/2007.

**W&M/Budget** – Your Committee, having under consideration the Mayor’s nomination and approval by the Executive Committee of the reappointment of Patrick Todd to serve as the City Assessor, for a two-year term beginning January 2, 2008, and having held a public hearing thereon, now recommends approval of said appointment.

Adopted 12/21/2007.

**W&M/Budget** – Your Committee, having under consideration the Mayor’s nomination and approval by the Executive Committee of the reappointment of Steven Bosacker to serve as the City Coordinator, for a two-year term beginning January 2, 2008, and having held a public hearing thereon, now recommends approval of said appointment.

Adopted 12/21/2007.

**W&M/Budget** - Your Committee, having under consideration the consolidation of the Minneapolis and Hennepin County library systems, now recommends the following:

a) Approval of the “Financial and Grant Agreement Regarding Library Consolidation” set forth in Petn No 272504 on file in the Office of the City Clerk; and

b) Passage of the accompanying resolution authorizing various library merger implementation actions.

Adopted 12/21/2007. Yeas, 12; Nays, 1 as follows:

Yeas - Samuels, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Johnson.

Nays - Gordon.

Approved by Mayor Rybak 12/21/2007.

(Published 12/26/2007)

**RESOLUTION 2007R-676**

**By Ostrow**

**Authorizing various library merger implementation actions.**

Whereas, Minnesota Laws 2007, chapter 121 (the "Enabling Legislation") authorizes the merger of the Minneapolis Public Library into the Hennepin County library system; and

Whereas, as contemplated by the Enabling Legislation, the Library Board of the City of Minneapolis (the "Library Board") and Hennepin County (the "County") have negotiated material terms of a Real Property Transfer Agreement and a Personal Property Transfer Agreement (collectively, the "Transfer Agreements") and the City of Minneapolis (the "City") and the County have negotiated material terms of a Finance and Grant Agreement Regarding Library Consolidation (the "Finance Agreement," and collectively with the Transfer Agreements, the "Transaction Documents"); and

Whereas, on October 29, 2007 the Minneapolis Planning Commission conducted location and design review of the proposed library capital plan in accordance with City Charter chapter 13, section 4 and Minnesota Statutes, Section 462.356, subd. 2, and made a finding of consistency with the comprehensive municipal plan; and

Whereas, after due notice and publication thereof, the Library Board and the City conducted a joint public hearing on the proposed merger on November 7, 2007 and the County conducted a separate public hearing on the proposed merger on November 27, 2007, in satisfaction of the Enabling Legislation Article I, Section 12 condition precedent to execution of the Transaction Documents; and

Whereas, the Library Board and the City have negotiated impact bargaining agreements with exclusive representatives of at least 80% of the represented Minneapolis library employees (the "Impact Bargaining Agreements"), in satisfaction of the Enabling Legislation Article II, Section 6 condition precedent to filing certificates of local approval; and

Whereas, the Library Board adopted a resolution on December 5, 2007 approving the Enabling Legislation, authorizing execution of the Transfer Agreements and directing other actions necessary to effectuate the merger; and

Whereas, the Enabling Legislation is effective and the merger shall occur one day after the Library Board, the City and the County have executed the applicable Transaction Documents and filed certificates of local approval; and

Whereas, on the merger date, currently anticipated to be January 1, 2008, the Library Board and all of its functions shall dissolve pursuant to Enabling Legislation Article I, Section 10; and

Whereas, the County has requested that post-merger the City continue to operate a public parking lot at the Walker Library in accordance with an agreement containing substantially similar terms to the City's parking arrangement with the Library Board (the "Walker Parking Agreement").

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. That the Council hereby approves the Enabling Legislation and authorizes and directs the City Clerk to file a certificate of local approval with the Minnesota Secretary of State's office in compliance with Minnesota Statutes, Section 645.021, subd. 3, on December 31, 2007.
2. That the Council hereby approves the Finance Agreement, the Walker Parking Agreement and the Impact Bargaining Agreements and authorizes and directs the Finance Officer, or in his absence or disability, such other officers of the City as in the opinion of the City Attorney are authorized to sign such agreements (the "Authorized Officials"), to execute and deliver the Finance Agreement, the Walker Parking Agreement and the Impact Bargaining Agreements in substantially the forms on file with the City.
3. That the Council authorizes and directs the Authorized Officials to execute and deliver such other documents as i) may be required under the Finance Agreement, including a quit claim deed and bill of sale for the parking ramp under the Central Library and an assumption agreement related to the state design grant for the planetarium, or ii) are otherwise reasonably necessary to effectuate the merger.

4. That the Authorized Officials and other officers also shall furnish certified copies of this Resolution and such other affidavits, disclosure schedules and certificates as may be required to show facts relating to these proceedings and the subject matter of the Finance Agreement.
5. That the Council directs the Finance Officer to appropriate such funds as are necessary to cover the City/Library Board share of merger implementation costs to the extent not paid by the Library Board, as well as the various payments and transfers contemplated by the Finance Agreement and the Impact Bargaining Agreements.
6. That with respect to the Walker Library at 2858 Hennepin Avenue, it is hereby found, determined and declared as follows:
  - a) The Walker Library is located upon the following described land:  
Parcel A: Lots 4, 5 and 6, Block 1, Dean's Addition to Minneapolis, Hennepin County; and  
Parcel B (Torrens): Lot 7, Block 1, Dean's Addition to Minneapolis, Hennepin County (the "Walker Property").
  - b) Title to the Walker Property is vested in the City of Minneapolis.
  - c) The Library Board must resolve this title defect prior to the proposed merger of the Minneapolis Public Library into the Hennepin County library system.
  - d) The Finance Officer is authorized and directed to execute and deliver a quit claim deed of the Walker Property to the Library Board of the City of Minneapolis pursuant to Minnesota Statutes, section 471.64.
7. That with respect to the Hosmer Library at 347 East 36th Street, it is hereby found, determined and declared as follows:
  - a) Title to the following described parcel upon which the Hosmer Library is located is vested in the City of Minneapolis:  
Lot 4, Block 3, Vinton Park Addition to Minneapolis, Hennepin County (the "Hosmer Parcel").
  - b) The Library Board must resolve this title defect prior to the proposed merger of the Minneapolis Public Library into the Hennepin County library system.
  - c) The Finance Officer is authorized and directed to execute and deliver a quit claim deed of the Hosmer Parcel to the Library Board of the City of Minneapolis pursuant to Minnesota Statutes, section 471.64.
8. That with respect to the Webber Park Library at 4310 Webber Parkway, it is hereby found, determined and declared:
  - a) The Webber Park Library is located upon the following described land:  
That part of Lot 98, Auditor's Subdivision Number 198, Hennepin County, described as follows: Commencing at the intersection of the northerly extension of the centerline of Colfax Avenue North with the southwesterly line of said Lot 98; thence southeasterly along said southwesterly line 87.59 feet; thence defecting left 113 degrees 24 minutes a distance of 90.81 feet to the actual point of beginning; thence continuing northerly along the last described line 70 feet; thence southeasterly at right angles 70 feet; thence southwesterly at right angles 70 feet; thence northwesterly to the point of beginning (the "Webber Property").
  - b) Minneapolis Community Development Agency ("MCDA") conveyed an unconfined easement for utility purposes in favor of the City of Minneapolis as contained in Easement Deed recorded July 17, 1997 as Doc. No. 675115.
  - c) MCDA, which is identified as the owner of Lot 98, Auditor's Subdivision No. 198 in the above Easement Deed, did not and does not hold any interest in the Webber Property.
  - d) The Library Board of the City of Minneapolis must resolve this title defect prior to the proposed merger of the Minneapolis Public Library into the Hennepin County library system.
  - e) The City's vacation ordinances are not applicable to this erroneously conveyed utility easement.

- f) The Finance Officer is authorized and directed to execute and deliver a quit claim deed of the Webber Property to the Library Board of the City of Minneapolis pursuant to Minnesota Statutes, section 471.64.
9. That with respect to the East Lake Library at 2727 East Lake Street, it is hereby found, determined and declared:
- a) On August 29, 1974 the City adopted a resolution vacating 28th Ave S adjacent to the East Lake Library and on February 11, 1975 the City adopted an amendment to the vacation resolution.
  - b) The resolution as amended is ambiguous because it refers to the "S line of E Lake St," but does not identify that line as being the one shown on the plat of V.G. Hush's Addition to Minneapolis.
  - c) Lake Street was widened after the plat was filed.
  - d) City staff has been unable to locate relevant records, but Public Works Right-of-Way staff state that the standard practice and therefore the presumed intent of the City was to vacate only to the south line of Lake Street as widened.

Adopted 12/21/2007. Yeas, 12; Nays, 1 as follows:

Yeas - Samuels, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Johnson.

Nays - Gordon.

Approved by Mayor Rybak 12/21/2007.

**W&M/Budget** - Your Committee, having under consideration the City's Unisys Outsourcing contract, now recommends authorizing proper City officers to renegotiate a 5-year Managed Services Contract with Unisys Corporation for the City's technology operations, effective January 1, 2008, with two optional two-year extensions, set forth in Petn No 272502 on file in the Office of the City Clerk. The contract amount totals \$48,000,000 plus an additional \$1,000,000 for anticipated City department initiated orders.

Your Committee further recommends that staff be directed to report back to the Ways & Means Committee twice a year on the Electronic Product Environmental Assessment Tool (EPEAT) status of electronic equipment owned and supported by the Vendor.

Adopted 12/21/2007. Yeas, 10; Nays, 3 as follows:

Yeas - Samuels, Gordon, Hofstede, Ostrow, Lilligren, Glidden, Remington, Benson, Hodges, Johnson.

Nays - Schiff, Colvin Roy, Goodman.

Approved by Mayor Rybak 12/21/2007.

(Published 12/26/2007)

**The ZONING & PLANNING Committee submitted the following reports:**

**Z&P** - Your Committee, having under consideration the appeal filed by Ward Brennan of Peace House Community from the decision of the Board of Adjustment which, notwithstanding staff recommendation, denied the applications for:

- a) variance to reduce the off-street parking requirement from 13 spaces to 0 spaces;
- b) variance to reduce minimum lot size from 10,000 square feet to 7,110 square feet; and
- c) variance to reduce the minimum lot width from 80 feet to 56 feet 10 inches, to establish a place of assembly at 2501 5th Ave S, subject to the conditions that 1) no rental license shall be given to the property while it functions as a place of assembly; 2) exterior garbage containers shall be enclosed on all four sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses; 3) the premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon; and 4) CPED-Planning Division review and approve the final site plan, floor plans, and elevation, with all

drawings will be measured to an architect or engineer's scale; now recommends that said appeal be forwarded without recommendation.

Schiff moved that the report be deleted. Seconded.

Adopted upon a voice vote 12/21/2007.

**Z&P** - Your Committee, having under consideration the appeal filed by Minneapolis Residents for Smart Density from the decision of the Planning Commission granting an application of the Plymouth Church Neighborhood Foundation for:

a) a conditional use permit for 30 dwelling units at 5400, 5404 and 5412 Stevens Ave S, subject to the condition that the conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence;

b) a variance to reduce the required number of off-street parking spaces for the dwellings from 29 to 27, subject to the conditions that 1) Mayflower Community Congregational Church shall revise their lease agreement with The Museum of Russian Art to allow not more than 31 parking spaces be leased on Saturdays and Sundays between 7 am and 6 pm, and 2) the Mayflower Community Congregational Church parking lot shall be re-stripped to accommodate 96 parking spaces;

c) a variance to reduce the front yard setback along Stevens Ave S from the required 15 feet to 0 feet; and

d) a site plan review, subject to the following conditions: 1) a total of seven canopy trees shall be planted on the property as required by Section 530.160; 2) approval of the final site, elevation, landscaping and lighting plans by the Department of Community Planning and Economic Development – Planning Division; 3) all site improvements shall be completed by November 13, 2008, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance; 4) there shall be a minimum of 14 bicycle parking spaces provided in the enclosed parking garage for the residents; 5) applicant shall work with staff to minimize light pollution and foot candles on the site; 6) louvers shall be installed in back of the windows of the enclosed parking garage to help reduce glare; and 7) replace Dwarf Bush Honeysuckle with Cotoneaster or other hedge plants around the surface parking areas; now recommends that said appeal be denied, and that the related findings prepared by the Community Planning & Economic Development staff be adopted.

Adopted 12/21/2007.

**Z&P** - Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Plymouth Church Neighborhood Foundation (BZZ-3755) to rezone the properties at 5400, 5404 and 5412 Stevens Ave S from R1 to the R5 District to permit a 30-unit multiple-family development and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 12/21/2007.

Ordinance 2007-Or-100 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 5400, 5404 and 5412 Stevens Ave S from R1 to the R5 District, was adopted 12/21/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2007-Or-100**  
**By Schiff**  
**1st & 2nd Readings: 12/21/2007**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcels of land, pursuant to MS 462.357:

That part of Lot 1, Clarke's Stevens Avenue Re-Arrangement, Hennepin County, Minnesota, together with that part of vacated Stevens Avenue South, accruing thereto (Torrens Certificate No. Pending). (5400 Stevens Ave S - Plate 37) to the R5 District;

That part of Lot 2, Clarke's Stevens Avenue Re-Arrangement, Hennepin County, Minnesota, together with that part of vacated Stevens Avenue South, accruing thereto (Torrens Certificate No. 1204993). (5404 Stevens Ave S - Plate 37) to the R5 District; and

That part of all of Lot 3, Lot 4 and the North 22 feet of Lot 5, Clarke's Stevens Avenue Re-Arrangement, Hennepin County, Minnesota, together with that part of vacated Stevens Avenue South, accruing thereto (Abstract). (5412 Stevens Ave S - Plate 37) to the R5 District

Adopted 12/21/2007.

**Z&P** - Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Lowry Avenue Partners on behalf of Metro Check Cashing (BZZ-3817) to rezone the property at 2211 Lowry Ave N from C1 to the C2 District to permit the relocation of a currency exchange business and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 12/21/2007. Yeas, 12; Nays, 1 as follows:

Yeas - Samuels, Gordon, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Johnson.

Nays - Hofstede.

Ordinance 2007-Or-101 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 2211 Lowry Ave N from C1 to the C2 District, was adopted 12/21/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2007-Or-101**  
**By Schiff**  
**1st & 2nd Readings: 12/21/2007**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of Lots 1 and 2 described as follows: Commencing at the northwest corner of said Lot 1 thence on an assumed bearing of east along the north line of said Lot 1 a distance of 64.17 feet thence on an assumed bearing of south a distance of 68.6 feet to the south line of Lot 2 thence on an assumed bearing of west a distance of 64.17 feet to the southwest corner of said Lot 2 thence on an assumed bearing of north along the west line of said Lots 1 and 2 a distance of 68.6 feet to the northwest corner of said Lot 1 and there terminating (2211 Lowry Ave N - Plate 7) to the C2 District.

Adopted 12/21/2007. Yeas, 12; Nays, 1 as follows:

Yeas - Samuels, Gordon, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Johnson.

Nays - Hofstede.

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**Z&P** - Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Modesto Reys on behalf of Megusta Place (BZZ-3826) to rezone the properties at 1501 - 1507 E Lake St from C1 to the C2 District to permit use of the property as a reception or meeting hall; to remove the TP Overlay District from the properties at 3013 - 3017 15th Ave S no longer needed in the existing C1 district; and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 12/21/2007.

Ordinance 2007-Or-102 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 1501 - 1507 E Lake St from C1 to the C2 District, and removing the TP Overlay District from the property at 3013-3017 15th Ave S, was adopted 12/21/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2007-Or-102**  
**By Schiff**  
**1st & 2nd Readings: 12/21/2007**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcels of land, pursuant to MS 462.357:

That part of the following described property: Lot 17, Block 001, Williams Addition to Minneapolis lying north of the south 9 feet thereof and Lots 18, 19, and 20 which lies westerly of a line described as follows: beginning at a point on the north line of Lot 20 distant 83.68 feet easterly from the northwest corner, thence southerly to a point on the south line of the above described property distant 83.45 feet easterly from the southwest corner thereof and said line there terminating (1501 - 1507 E Lake St - Plate 26) to the C2 District; and

That part of the north 15 feet of Lot 14, Lot 15, Lot 16, and the south 9 feet of Lot 17, Block 001, Williams Addition to Minneapolis (3013 - 3017 15th Ave S - Plate 26) to remove the TP Overlay District.

Adopted 12/21/2007.

**MOTIONS**

Goodman moved passage of the accompanying resolutions:

a) Rescinding Resolution No. 2007R-608 entitled, "Giving preliminary and final approval to and authorizing the financing of a project on behalf of Courage Center (the "Company"), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor," passed December 7, 2007, due to incorrect language contained therein; and

b) Giving preliminary and final approval to and authorizing the financing of a project on behalf of Courage Center at 3915 Golden Valley Rd, as corrected, and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor. Seconded.

Adopted 12/21/2007.

Approved by Mayor Rybak 12/21/2007.

(Published 12/26/2007)

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**RESOLUTION 2007R-677**

**By Goodman**

**Rescinding Resolution 2007R-608 entitled “Giving preliminary and final approval to and authorizing the financing of a project on behalf of Courage Center (the “Company”), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor”, passed December 7, 2007.**

Resolved by The City Council of The City of Minneapolis:  
That the above-entitled resolution be and is hereby rescinded.  
Adopted 12/21/2007.  
Approved by Mayor Rybak 12/21/2007.  
(Published 12/26/2007)

Resolution 2007R-678, giving preliminary and final approval to and authorizing the financing of a project on behalf of Courage Center at 3915 Golden Valley Rd, as corrected, and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-678**

**By Goodman**

**Giving preliminary and final approval to and authorizing the financing of a project on behalf of Courage Center (the “Company”), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor.**

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended (“Chapter 595”), the City Council of the City of Minneapolis, Minnesota (the “City”) established the Minneapolis Community Development Agency (the “Agency”) and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a revenue bond in an amount not to exceed \$1,000,000 (the “Bond”) to finance the improvement and equipping of the Company’s headquarters facility located at 3915 Golden Valley Road in the City of Golden Valley, Minnesota (the “Project”); and

Whereas, the property included in the Project will be owned by the Company, which is a Minnesota nonprofit corporation; and

Whereas, the Agency expects to give final approval to the issuance of the Bond by a resolution to be adopted on the date hereof; and

Whereas, the Bond shall bear interest at an initial interest rate expected to not exceed 6.00% per annum, shall have a final maturity date not later than December 31, 2017, and shall have such other terms as required or permitted by the Agency’s resolution, which terms are to be incorporated herein by reference;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Bond in a principal amount not to exceed \$1,000,000 for the purpose of financing the Project.

Be It Further Resolved that the Bond is hereby designated as a “Program Bond” and is determined to be within the “Economic Development Program” and the “Program,” all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 12/21/2007.

Approved by Mayor Rybak 12/21/2007.

Gordon moved that the Council action of June 15, 2007, relating to adopting ordinances amending Title 20, Chapters 521 and 551 of the Minneapolis Code of Ordinances be amended to read as follows:

**Z&P** - Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances to add the Transit Station Area Pedestrian Oriented Overlay District to parcels along the University Ave SE corridor consistent with city-adopted plans for the area and to consider base zoning changes for seven parcels, now concurs in the recommendation of the Planning Commission that the following ordinances be given their second reading for amendment and passage, except that the text and accompanying map amendment as to 2700 University Avenue Southeast is not effective until January 1, 2008<sup>9</sup>, and that the related findings be adopted:

- a. Amending Chapter 521 relating to *Zoning Districts and Maps Generally*; and
- b. Amending Chapter 551 relating to *Overlay Districts*. Seconded.

Adopted 12/21/2007.

Hodges moved to:

- a. Direct the appropriate staff to develop, and recommend to the Zoning and Planning Committee, a formalized process to address the increasing number of projects whose completion timelines are being extended due to changes in the housing market; and

- b. Extend the time period for zoning approvals granted by the Planning Commission on November 8, 2005, for land-use applications filed by Tom Lohman for the Bancroft Condominiums at 3500 W 50th St (BZZ-720) to November 28, 2008, to allow the applicant to obtain building or other permits that are contingent upon valid zoning approvals. Seconded.

Adopted 12/21/2007.

Lilligren moved to accept the retirement of City Clerk Merry Keefe, effective December 31, 2007, and to appoint Steve Ristuben as interim City Clerk, at Step 4, effective January 1, 2008. Seconded.

Adopted 12/21/2007.

Johnson moved the following:

- a. Accept the recommendations of the September 10, 2007 report of the Riverfront Blue Ribbon Task Force (as amended by the Riverfront Policy Oversight and Riverfront Senior Management task forces and the Above the Falls Citizens Advisory Committee) to create a new non-profit organization to facilitate ongoing riverfront revitalization in Minneapolis, with emphasis that the initial priority for capital investments will be the Upper River.

- b. Since creation of a new non-profit organization requires legislative authorization, refer this subject matter to the Council's IGR Committee for possible inclusion on the City's 2008 legislative agenda. The City will not seek legislation unless and until the Park Board has agreed to support the legislation request and participate as a member of the new organization, with similar support and participation welcomed from other governmental bodies involved with riverfront revitalization.

- c. Continue to work with the City's governmental partners (County Board, Park Board and others) to raise \$150,000 in start-up operational funds for the new organization, of which the City's share would be \$50,000 (which is included in the 2008 budget approved on December 12, 2007). Seconded.

Adopted 12/21/2007.

Colvin Roy moved to amend the agenda to include a Motion to change the time for the January 2, 2008 City Council Organization Meeting. Seconded.

Adopted upon a voice vote 12/21/2007.

Colvin Roy moved that City Council Rule 1b be suspended to change the time for the January 2, 2008 City Council Organization Meeting. Seconded.

Adopted 12/21/2007.

Colvin Roy moved that the time for the January 2, 2008 City Council Organization Meeting be 9:00 a.m. Seconded.

Adopted 12/21/2007.

**RESOLUTIONS**

Resolution 2007R-679, honoring the City Clerk's Office for more than 20 years of outstanding service to the City of Minneapolis under the leadership of retiring City Clerk Merry Keefe, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-679**

**By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden,  
Schiff, Remington, Benson, Colvin Roy and Hodges**

**Honoring The City Clerk's Office for more than 20 years of outstanding service to the City of Minneapolis under the leadership of retiring City Clerk Merry Keefe.**

Whereas, in 1986, the Clerk/Council Department included approximately 70 people, 8 computers and everyone had dial phones; and

Whereas, today, the City Clerk's Department is one of the most highly automated offices in the City and supports Clerk and Council information on their web site that is recognized as one of the best web sites in the nation; and

Whereas, the City Clerk's Department provides expert support to all Council processes; and interacts with all departments in the City to provide records management, printing, mailing and elections that are a national model; and

Whereas, staff in the City Clerk's Department is known for excellent customer service, efficiency and professionalism as well as loyalty and dedication to the City; and

Whereas, staff in the City Clerk's Department have implemented continuous process improvements that enabled them to provide superior service and products meeting increasing demands with fewer resources, to become a department that elected officials and taxpayers can be extremely proud of;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council recognizes and thanks the City Clerk's Department for past, present and future service to the City Council and the City of Minneapolis.

Adopted 12/21/2007.

Resolution 2007R-680, honoring Merry Keefe, City Clerk, for more than 20 years of outstanding service to the City Council and citizens of Minneapolis, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-680**

**By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden,  
Schiff, Remington, Benson, Colvin Roy and Hodges**

**Honoring Merry Keefe, City Clerk, for more than 20 years of outstanding service to the City Council and citizens of Minneapolis.**

Whereas, Merry Keefe became City Clerk on April 20, 1987; and

Whereas, Merry Keefe is the only appointee of the City Council, and through the years she has worked directly for 41 City Council Members and she has always had their support as evidenced by her many reappointments to the position; and

Whereas, Merry Keefe is the longest term appointed City employee, serving over 20 years, an uncommon feat; and

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Whereas, despite significant reductions in the number of staff over the years, Merry's leadership enabled the office to not only survive but thrive; and

Whereas, Merry Keefe can list among her many accomplishments an expansive City Clerk web presence, great use of technology, the Redbook of Council processes and procedures, the speaker management system, numerous successful untainted elections, uncountable project work teams, the Tower Awards such as "Outstanding Team Leader" which recognize staff accomplishments, team-building celebratory and notorious quarterly luncheons, a positive customer service attitude and continuous process improvements; and

Whereas, Merry Keefe has always loved her staff, has listened to them, coached them and supported them as individuals. In return, her staff has responded with unwavering support as evidenced by loyal staff who generally remain part of the department until retirement age; and

Whereas, Merry Keefe is an expert communicator and negotiator, demonstrating tact, diplomacy, and an ability to finesse workable solutions from thin air. Her expertise in this area would make even Henry Kissinger take note; and

Whereas, Merry Keefe is the consummate professional and big picture strategist who never micromanages; but instead encourages decision-making work teams and cross-trained positions, allowing each individual to feel appreciated and important; and

Whereas, Merry Keefe has encouraged and implemented professional development plans with her employees and provided the resources so they can blossom within their current job and be prepared to move upward in the city or elsewhere; and

Whereas, we will miss her endearing quirks including never allowing the word "it" in a sentence, her reverence for Mick Jagger and her unmatched affection for frogs of all colors and sizes, many of which inhabit her office; and

Whereas, we will miss the occasional visits from her parrot Sally who squawked this message we all now feel, "Merry, don't go! Come back!";

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Merry Keefe is commended for her tireless commitment and allegiance to the members of the City Council, the Office of the City Clerk and the citizens of Minneapolis and ask all to join in wishing her well in retirement which will likely include skiing in Colorado, giving ski lessons at Afton Alps, volunteering in Central or South American countries, playing catcher in softball games, continuing to work in her neighborhood on the Loring Greenway Project and traveling to exotic destinations. We trust she will enjoy "it."

Adopted 12/21/2007.

Resolution 2007R-681, commending the Minneapolis Library Board of Trustees, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-681**

**By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden,  
Schiff, Remington, Benson, Colvin Roy and Hodges**

**Commending the Minneapolis Library Board of Trustees.**

Whereas, the Minneapolis Public Library system has been an unwavering public asset to the City of Minneapolis for 147 years; and

Whereas, the Charter of the City of Minneapolis established an independent Library Board of Trustees; and

Whereas, sixty-eight Trustees, nine Directors and thousands of library staff proudly served their community throughout the Board's history; and

Whereas, in recent years the Minneapolis Public Libraries faced a funding crisis that threatened the sustainable and positive future of the system; and

Whereas, current Trustees of the Minneapolis Public Library Board Anita Duckor, Alan Hooker, Rod Krueger, Sheldon Mains, Hussein Samatar, Laurie Savran, Gary Thaden, and Laura Waterman-Wittstock among them have over 30 years of service to the Minneapolis Public Libraries; and

Whereas, in their most recent term, these Trustees acted as principled and conscientious stewards of the financial resources of the library system; and

Whereas, in selfless and generous spirit these trustees voted in 2006 to eliminate their own positions as part of the Minneapolis Public Library consolidation with the Hennepin County Library system for the future good of both library systems;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City gratefully acknowledges the current members of the Minneapolis Public Library Board of Trustees for their service to the residents of Minneapolis, commends them for showing outstanding vision and leadership, and expresses its deepest gratitude for their selfless vision and commitment to the future of the library system.

Adopted 12/21/2007.

Resolution 2007R-682, thanking Members of the Committee on the Future of Libraries in Hennepin County and the Library Advisory Committee for their work, was adopted 12/21/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2007R-682**

**By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden,  
Schiff, Remington, Benson, Colvin Roy and Hodges**

**Thanking Members of the Committee on the Future of Libraries in Hennepin County and the Library Advisory Committee for their work.**

Whereas, the Committee on the Future of the Libraries in Hennepin County was established in 2006 to examine possible solutions to existing and future library funding and governance issues for Minneapolis Public Library and Hennepin County Library systems; and

Whereas, the Futures Committee was chaired by John Gunyou, and comprised Hennepin County Commissioner Randy Johnson, Hennepin County Commissioner Peter McLaughlin, Hennepin County Library Board Member John Gibbs, Minneapolis City Council President Barbara Johnson, Minneapolis City Council Member Sandy Colvin Roy, Minneapolis Library Board of Trustees President Anita Duckor; and

Whereas, Hennepin County Library Director Amy E. Ryan and Minneapolis Public Library Director Katherine (Kit) Hadley provided critical assistance to the Futures Committee; and

Whereas, the Library Advisory Committee was created in 2006 to advise Library Trustees on a funding and governance structure for the Minneapolis Public Library system capable of sustaining quality library services; and

Whereas, the Library Advisory Committee was chaired by Roger Hale, and comprised Alfred Babington-Johnson, Carol Berde, former State Senator Carol Flynn, Peter A. Heegaard, Minneapolis City Council Member Betsy Hodges, Jay Kiedrowski, Laura King, Mark Murphy, Arthur J. Rolnick, Library Board Trustee Hussein Samatar, Jim Ufer, and Dan Miller; and

Whereas, Minneapolis Public Library Director Kit Hadley, Friends of the Minneapolis Public Library Director Colin Hamilton, and Adam Olson provided critical assistance to the Library Advisory Committee; and

Whereas, members of both Committees worked hard through long hours within the confines and pressure of a constrained timeline to recommend positive solutions for the future of Minneapolis Public libraries; and

Whereas, both Committees arrived at coinciding conclusions about the future of the City and region's libraries as the culmination of their efforts; and

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Whereas, we are on the cusp of realizing the shared vision of both Committees through the final consolidation of the Minneapolis Public Library and the Hennepin County Public Library systems;  
Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we thank the members of the Committee on the Future of Libraries in Hennepin County and the Library Advisory Committee, Director Hadley, Director Hamilton, and their staff for their service, hard work, clarity of vision, and commitment to a bright and sustainable future for the region's library system.  
Adopted 12/21/2007.

### **UNFINISHED BUSINESS**

**Comm Dev & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to accept the donation of an open space conservation easement that will protect the view shed of the historic Ivy Tower façade at 1115 - 2nd Ave S, and to execute these and all related documents.

Adopted 12/21/2007.

Pursuant to notice, Gordon moved to introduce the subject matter of the following ordinances amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to Offenses—Miscellaneous, for first reading and referral to the Public Safety & Regulatory Services Committee (repealing Section 385.80 entitled Lurking; and amending Section 385.50 entitled Loitering by adding new prohibitions against loitering with the intent to engage in additional criminal acts).

Adopted upon a voice vote 12/21/2007.

Johnson, at her request, recorded as voting "no".

Pursuant to notice, Gordon moved to introduce the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, for first reading and referral to the Zoning & Planning Committee:

a) Chapter 530 relating to Site Plan Review, amending standards for residential development under four units; and

b) Chapter 525 relating to Administration and Enforcement, requiring additional neighborhood notification.

Adopted upon a voice vote 12/21/2007.

### **NEW BUSINESS**

Benson moved to introduce the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, for first reading and referral to the Zoning & Planning Committee (amending regulations related to off-premise advertising signs and billboards), as follows:

a) Chapter 520 relating to Introductory Provisions; and

b) Chapter 544 relating to Off-Premise Advertising Signs and Billboards.

Adopted by unanimous consent 12/21/2007.

Samuels moved to introduce an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, for first reading and referral to the Public Safety & Regulatory Services Committee (increasing rental license fees for the first unit by 3%).

Adopted by unanimous consent 12/21/2007.

Samuels moved to introduce an ordinance amending Title 11, Chapter 227 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Nuisances Generally, for first reading and referral to the Public Safety & Regulatory Services Committee (increasing the administrative fee for nuisance abatement from \$75 to \$100).

Adopted by unanimous consent 12/21/2007.

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Samuels moved to introduce an ordinance amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances relating to Housing: Vacant Dwelling or Building, Nuisance Condition, for first reading and referral to the Public Safety & Regulatory Services Committee (increasing the administrative fee for nuisance abatement from \$75 to \$100).

Adopted by unanimous consent 12/21/2007.

Schiff moved to introduce the subject matter of ordinances amending Chapter 13, Section 1 of the Minneapolis City Charter relating to City Planning Department — Commissioner and Membership, for first reading and referral to the Intergovernmental Relations Committee (eliminating the Library Board Representative on the City Planning Commission and adding a representative that is appointed by the City Council).

Adopted by unanimous consent 12/21/2007.

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote 12/21/2007.

Steven J. Ristuben,  
Assistant City Clerk.

Unofficial Posting: 12/27/2007  
Official Posting: 12/28/2007  
Corrections: 1/3/2008; 2/29/08; 12/29/08